



NORTH DAKOTA
PUBLIC EMPLOYEES
RETIREMENT SYSTEM

Board Meeting Agenda

Location: WSI Board Room, 1600 East Century Avenue, Bismarck ND
By phone: 701.328.0950 Conference ID: 896 510 798#
Date: Tuesday, November 8, 2022
Time: 8:30 A.M.

I. MINUTES

- A. September 13, 2022
- B. October 25, 2022

II. PRESENTATIONS

- A. Sanford Health Plan Executive Summary Quarter 2 2022
 - 1. WebMD Positively Me Diabetes Prevention Program
- B. Board Self-evaluation

III. RETIREMENT

- A. Retirement Plan Contribution Increases – Scott (Board Action)
- B. Mid Dakota Clinic/Essentia Health Business Associate Agreement – Scott (Board Action)

IV. GROUP INSURANCE

- A. Life Insurance Request For Proposal (RFP) Update – Derrick (Information)
- B. Vision Insurance Request For Proposal RFP Update – Derrick (Information)

V. MISCELLANEOUS

- A. Legislative Relations – Scott (Information)
- B. Proposed Legislation – Scott (Board Action)
- C. Board Meeting Dates for 2023 – Scott (Board Action)

VI. MEMBER *EXECUTIVE SESSION

- A. Retirement Benefit Appeal Case #764 – Scott (Board Action)
- B. Hardship Withdrawal Case #756 – MaryJo (Board Action)

*Executive Session pursuant to N.D.C.C. §44-04-19.2, §44-04-19.2(1), and/or §54-52-26 to discuss confidential records or confidential member information.



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Public Employees Retirement System**
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Memorandum

TO: NDPERS Board

FROM: Rebecca

DATE: November 8, 2022

SUBJECT: SHP 2022 Quarter 2 Executive Summary

Sanford Health Plan (SHP) will be at the meeting to review the 2022 Quarter 2 Executive Summary (Attachment 1) and answer any questions you may have. Representatives from Humana are also on to discuss any questions related to the Medicare Part D Plan information, labeled as NDPERS EGWP, found on page 16 of the summary.

In addition, Attachments 2 and 3 are being provided to give details of a new virtual diabetes prevention program, called Positively Me, available to our members through the WebMD online portal.

Representatives from Sanford Health Plan will be available to answer questions you may have. This item is informational and does not require any action by the Board.

NDPERS Executive Summary



Quarter 2 | 2022

Presented November 2022



SANFORD
HEALTH PLAN

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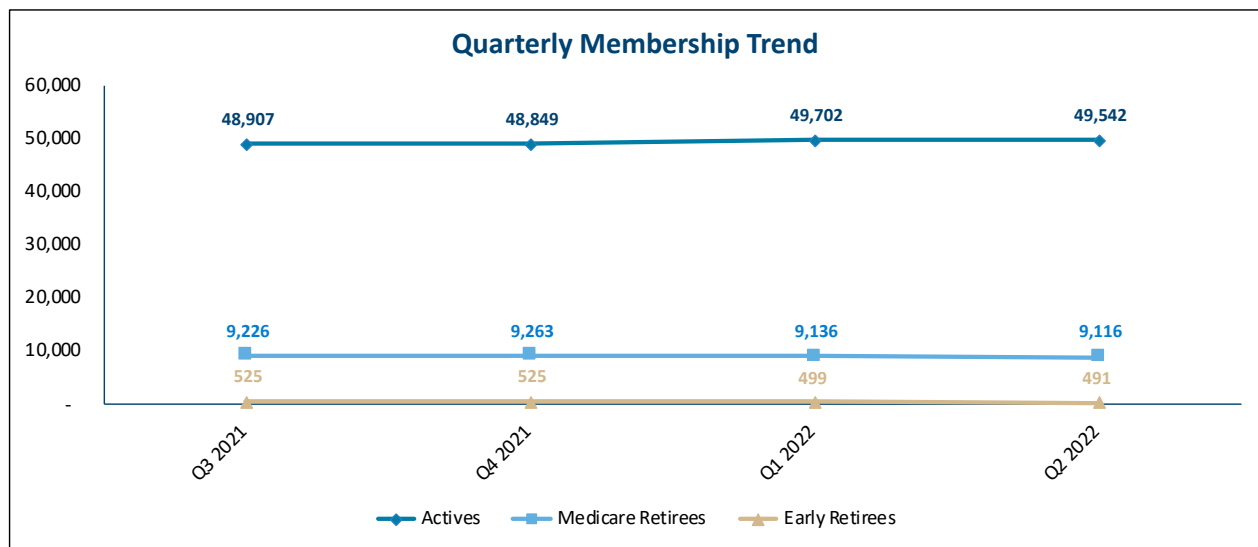
Performance Standards & Guarantees 2021-2023

Summary

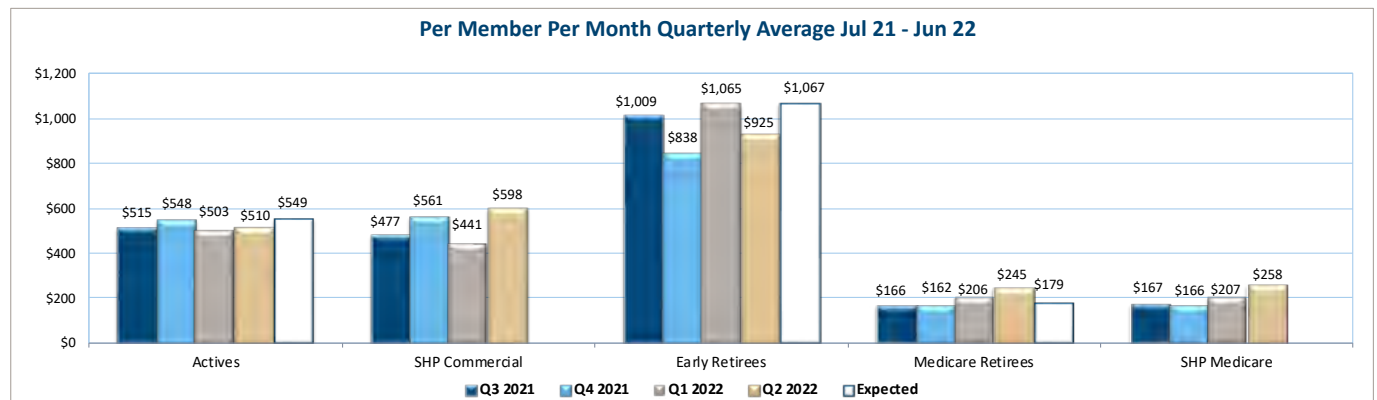
ANNUAL MEMBERSHIP SUMMARY

MEMBERSHIP COMPARISON						PERCENT CHANGE
	Q2 2021	Q3 2021	Q4 2021	Q1 2021	Q2 2022	Q2 2021 - Q2 2022
Actives	50,019	48,907	48,849	49,702	49,542	-1.0%
Medicare Retirees	9,173	9,226	9,263	9,163	9,116	-0.6%
Early Retirees	538	525	525	499	491	-8.6%

MEMBERSHIP TREND



PMPM SUMMARY

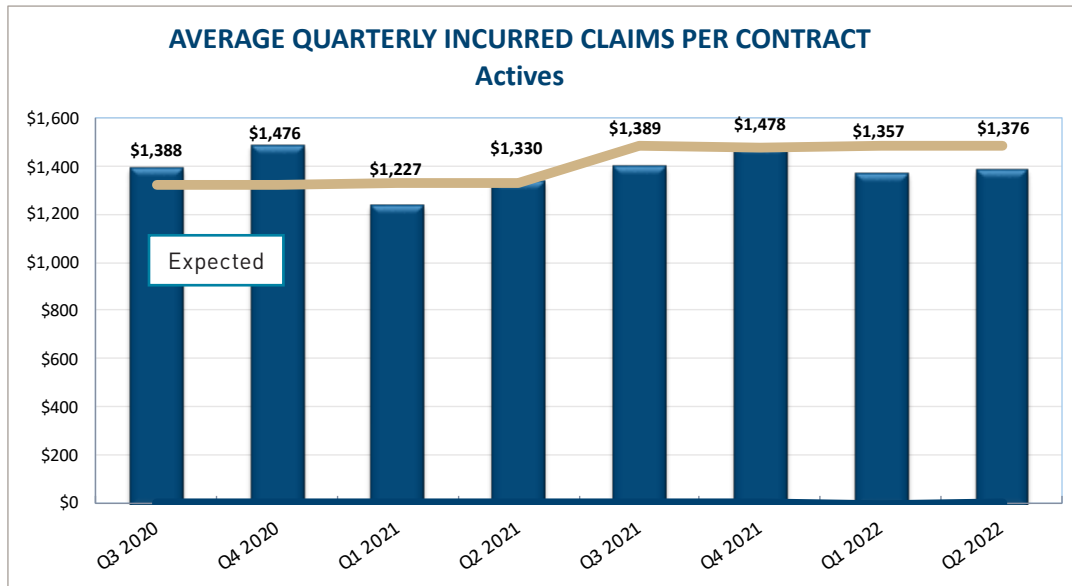


*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

*Medicare Retirees PMPM excludes prescription drug coverage (Medicare Part D).

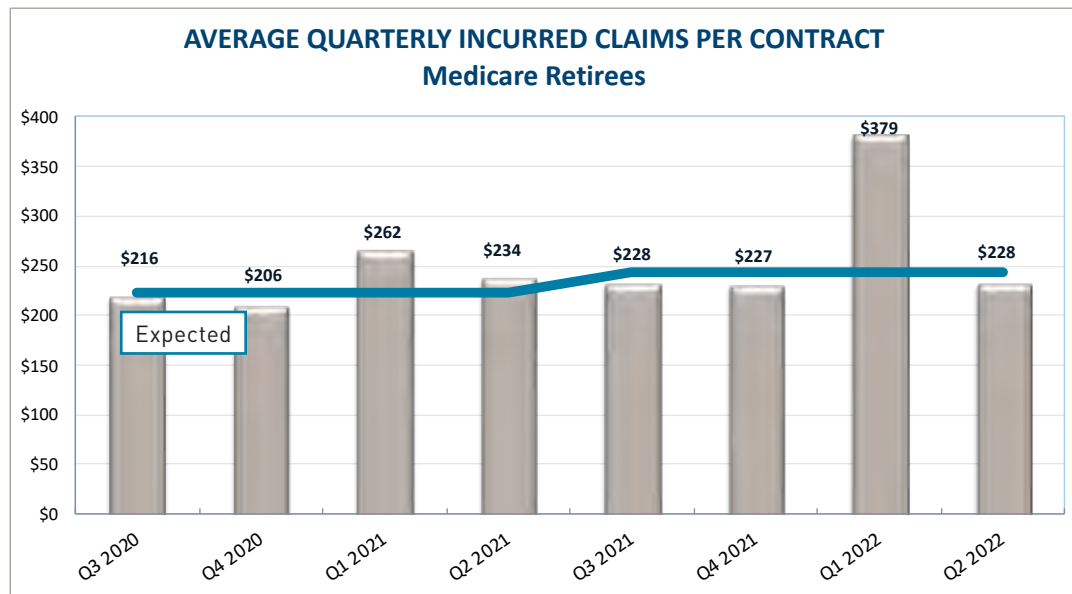
*Expected is July 1, 2021 - June 30, 2022.

PAID CLAIMS PER CONTRACT PER MONTH



*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

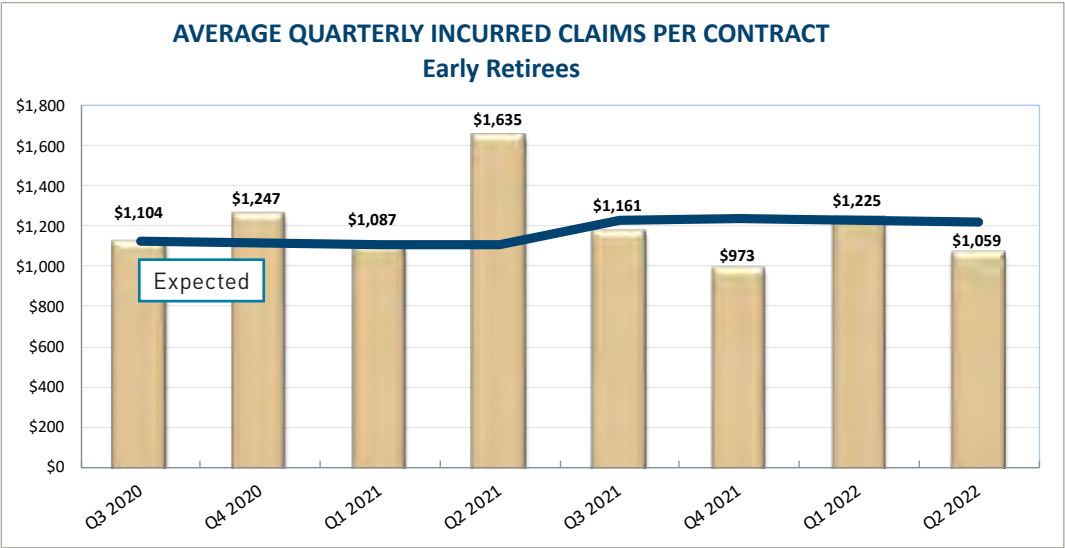
*NDPERS Active contracts have approximately 2.70 members per contract.



*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

*NDPERS Medicare Retirees contracts have approximately 1.36 members per contract.

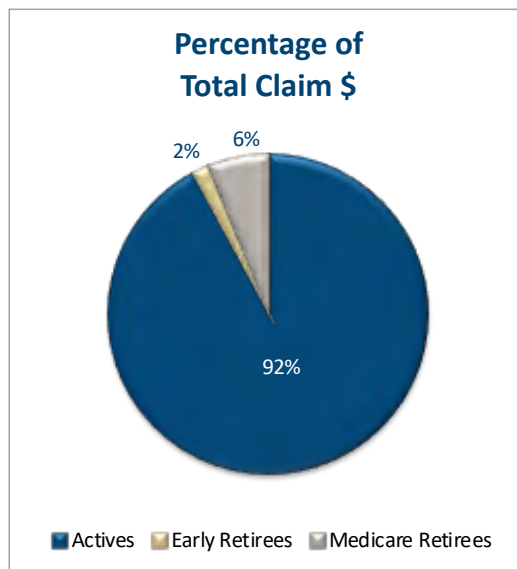
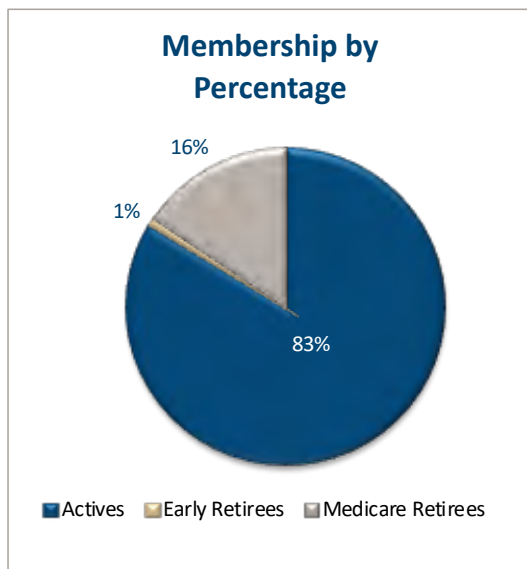
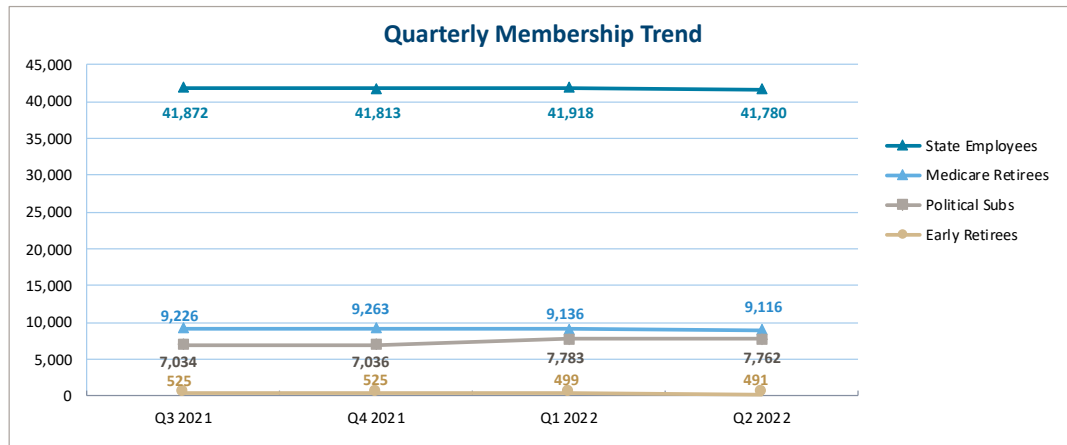
PAID CLAIMS PER CONTRACT PER MONTH



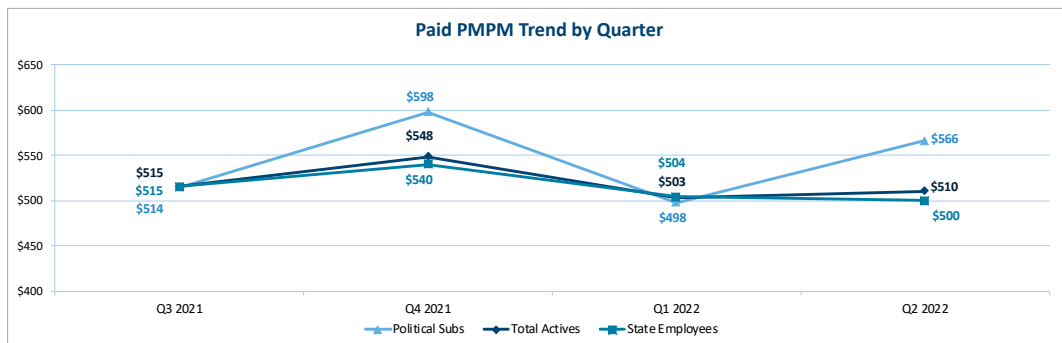
*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

*NDPERS Early Retirees contracts have approximately 1.14 members per contract.

MEMBERSHIP PERCENTAGE

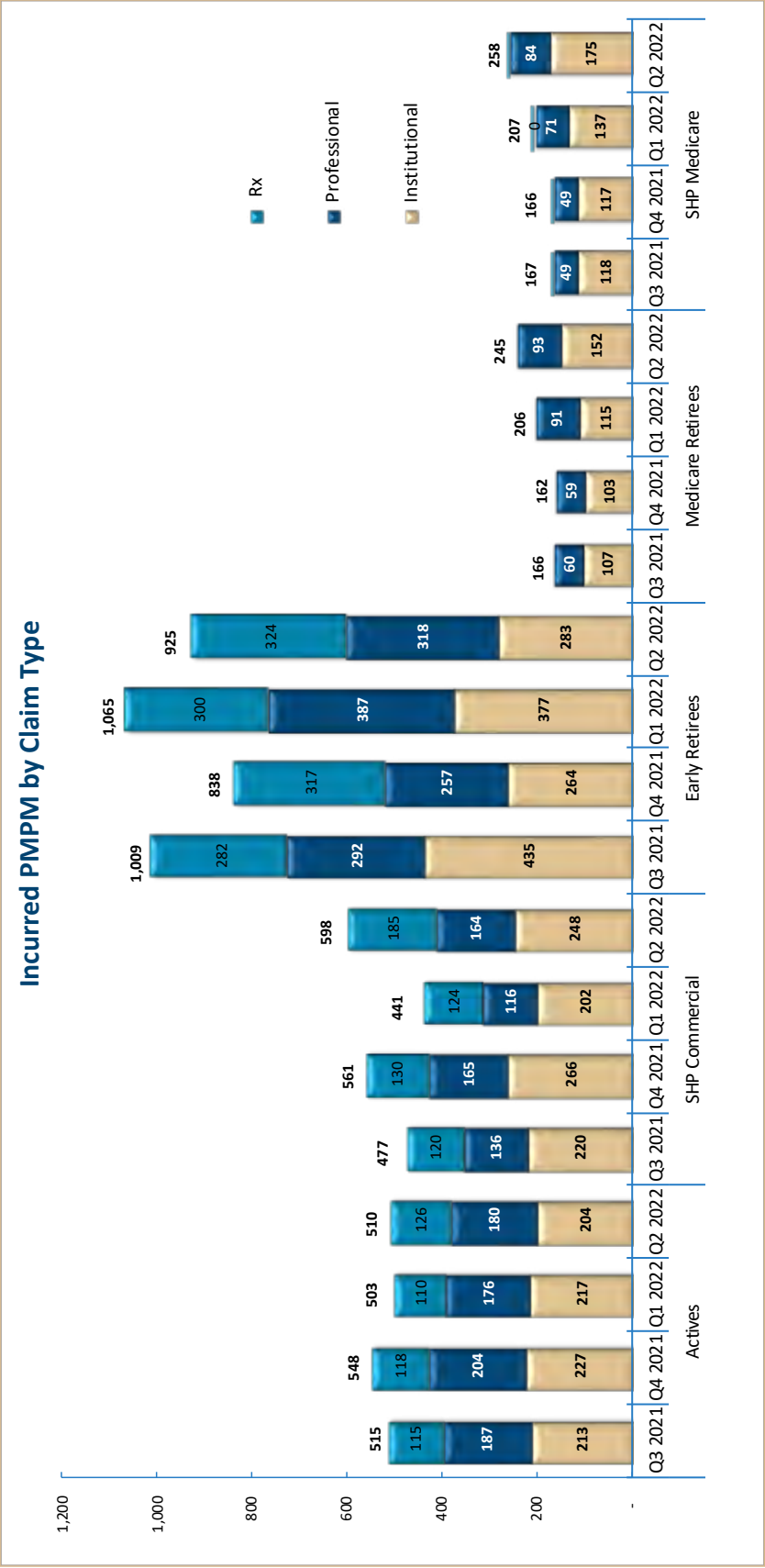
Membership
& Utilization

PAID PMPM TREND BY QUARTER



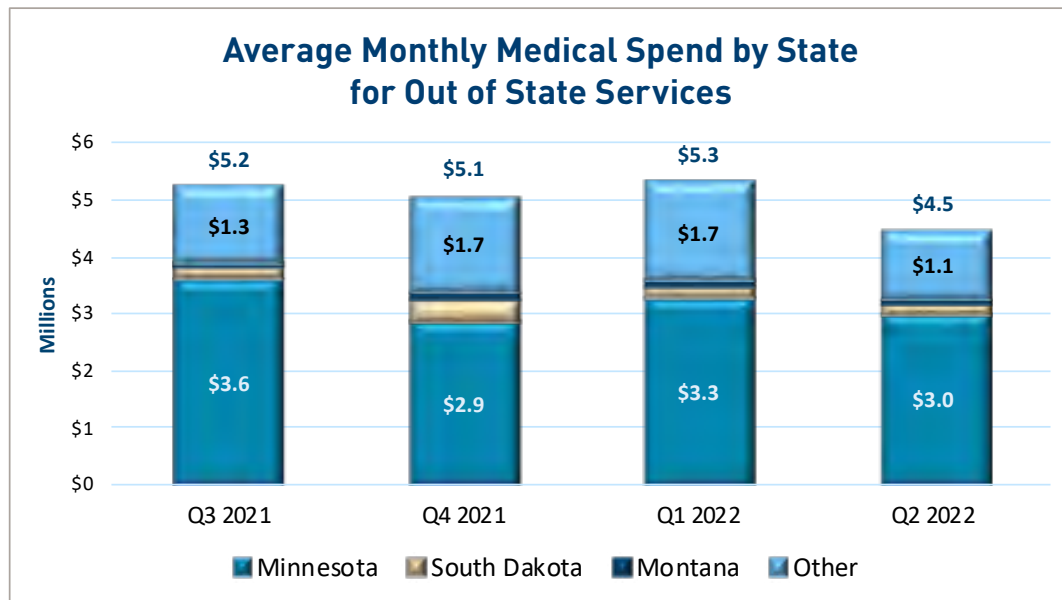
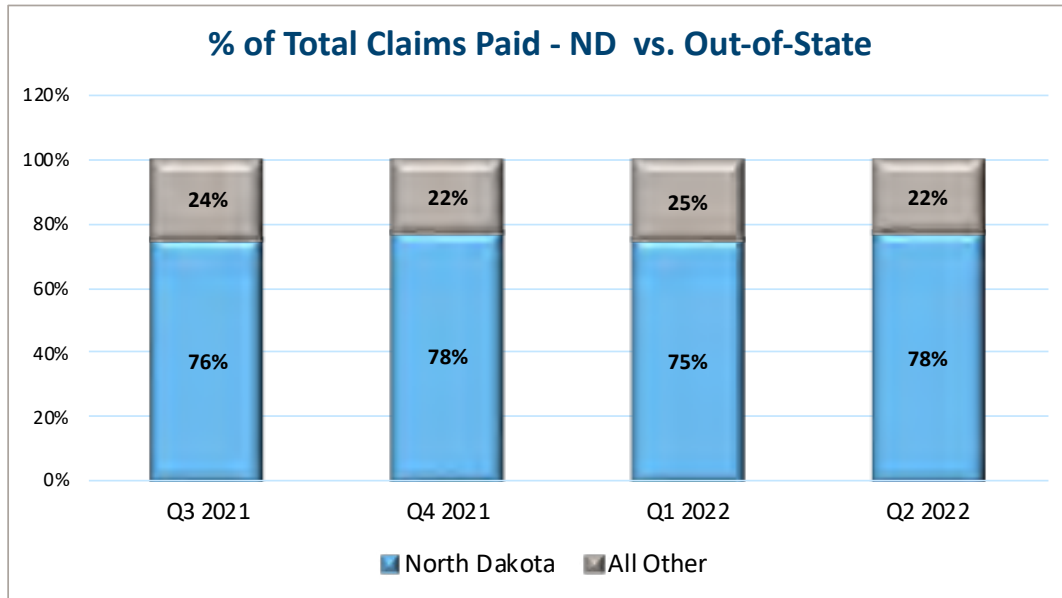
*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

Membership
& Utilization



*Incurred between July 1, 2021 and June 30, 2022. Includes IBNR for July 1, 2021 through June 30, 2022, as of August 31, 2022.

PAID CLAIMS BY STATE

Membership
& Utilization

*Paid Claims by State charts include both active and retiree membership.

* Does Not include IBNR

Membership & Utilization

MEMBER RISK PROFILE & UTILIZATION

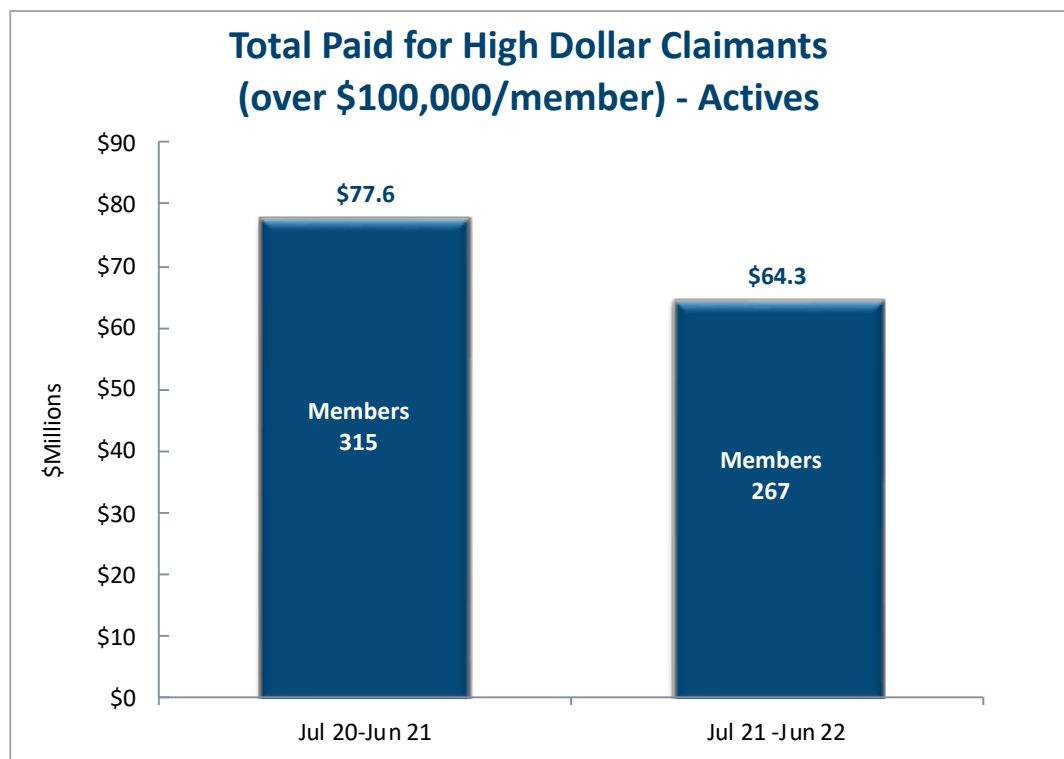
	NDPERS	SHP Commercial
Average Age	34	33
% Male (Current)	49	47
Average Care Gap Index	1.06	0.75
Inpatient Days Per 1000	203	261
Total Admissions Per 1000	50	63
ER Visits Per 1000	189	171
Total Office Visits Per 1000	4,172	4,010
Pharmacy Scripts Per 1000	8,852	8,923

*Incurred between April 1, 2021 and March 31, 2022.

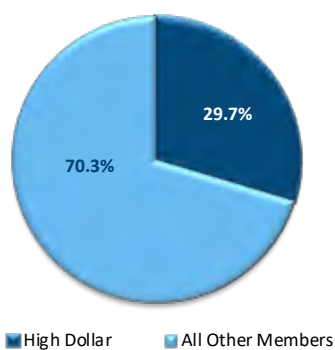
*All data was normalized using Cotiviti's methodologies and algorithms.

*NDPERS includes Political subdivisions, Early (Pre-Medicare) Retirees and State employees.

ACTIVES

High Dollar
Cases

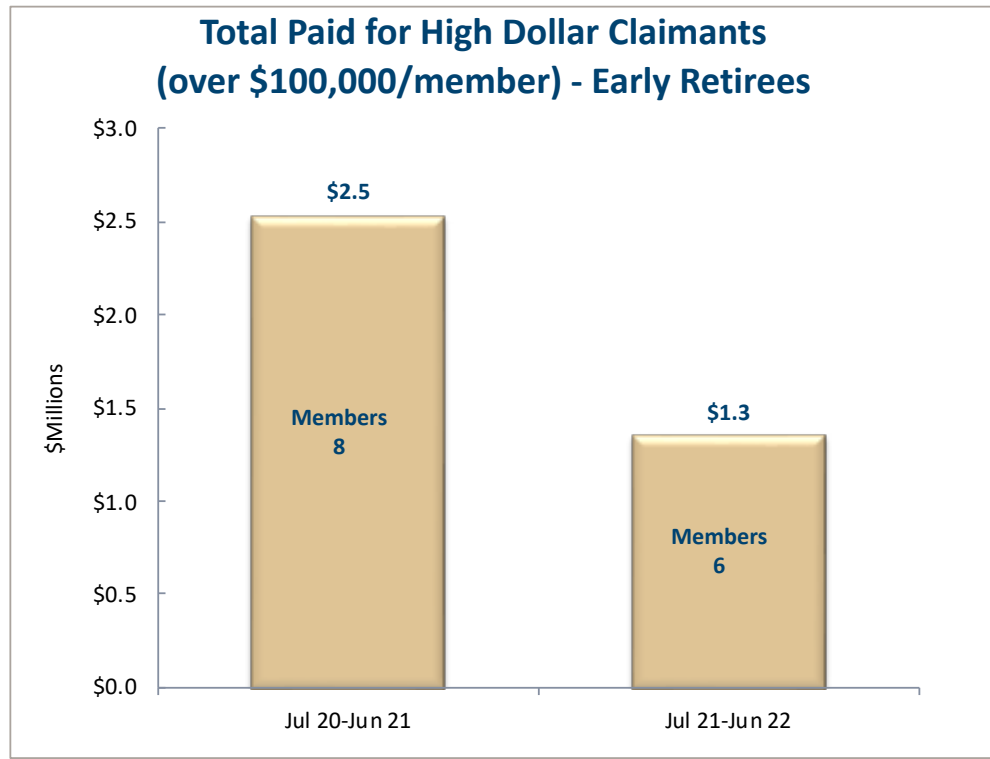
**High Claimant Actives as % of
Total Payments
Jul 21 - Jun 22**



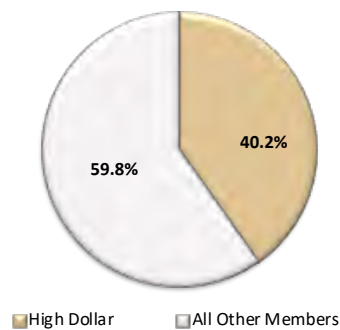
Avg. Paid/Claimant	\$240,868
% of Total Payments	29.7%

High Dollar Cases

EARLY RETIREES



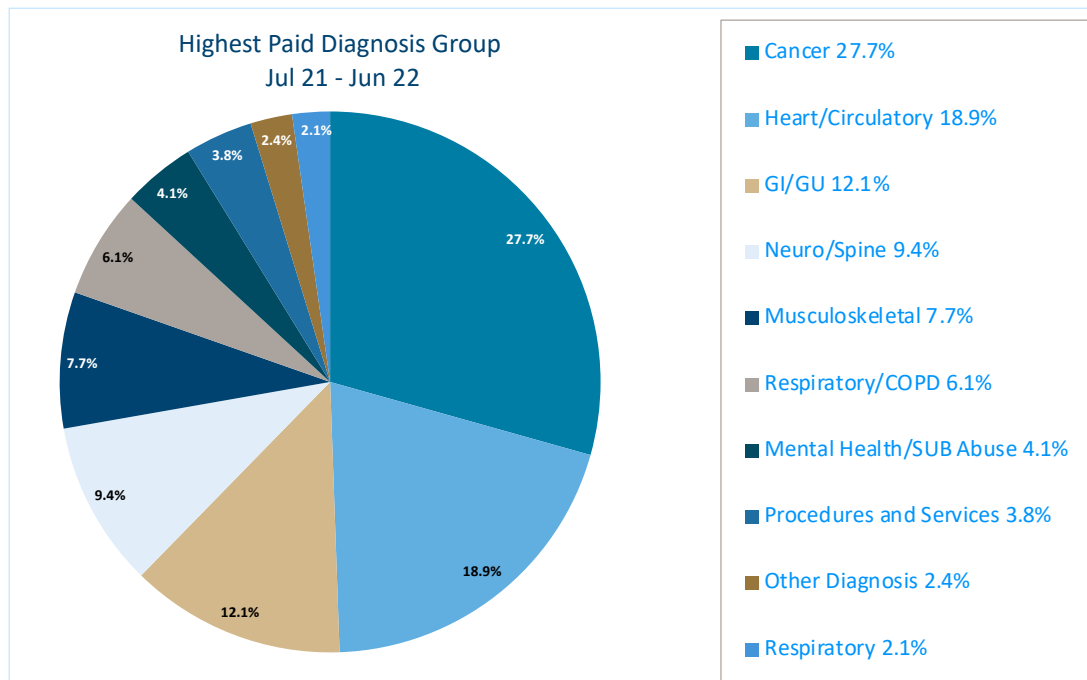
**High Claimant Early Retirees as
% of Total Payments
Jul 21 - Jun 22**



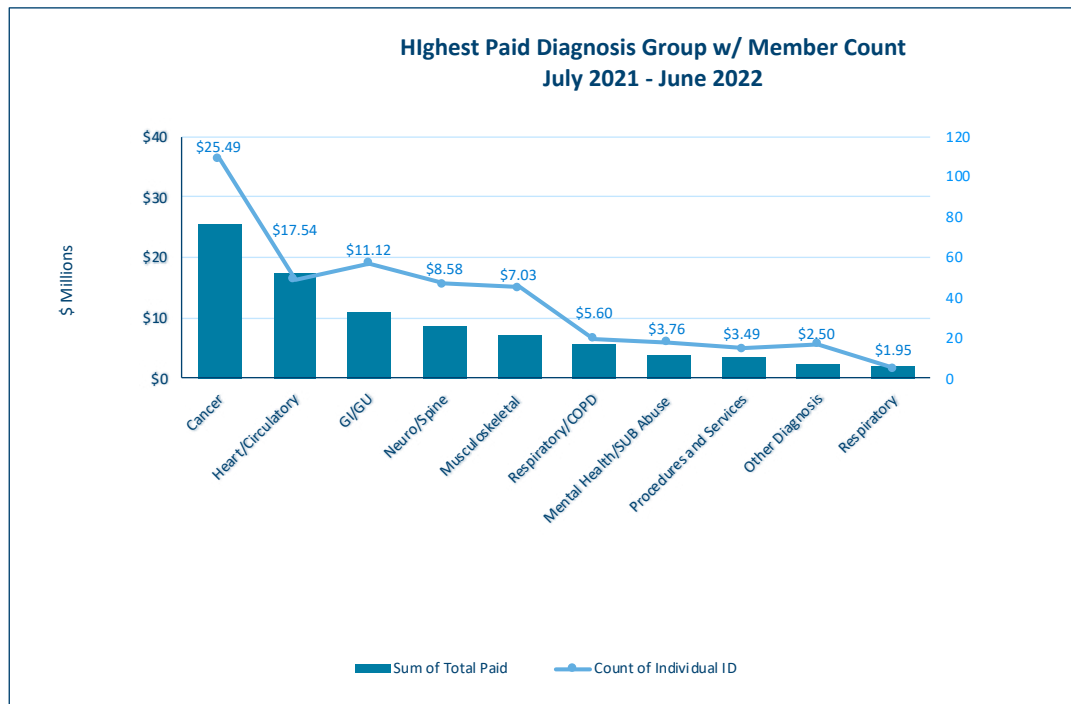
Avg. Paid/Claimant	\$224,957
% of Total Payments	40.2%

PRIMARY DIAGNOSIS

High Dollar Cases



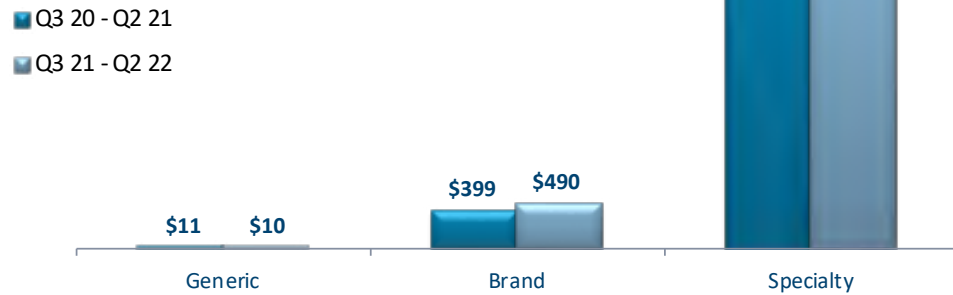
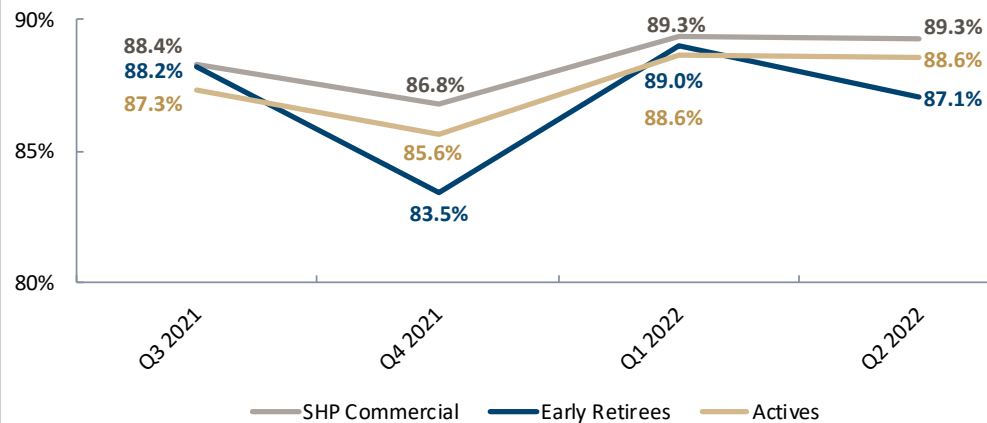
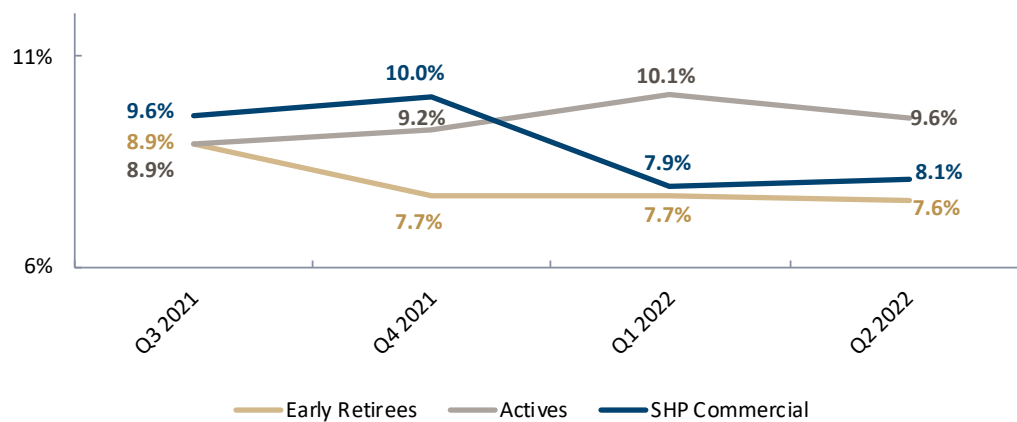
*The remaining 5.7% represent 4 diagnosis groups accounting for less than 2% each.



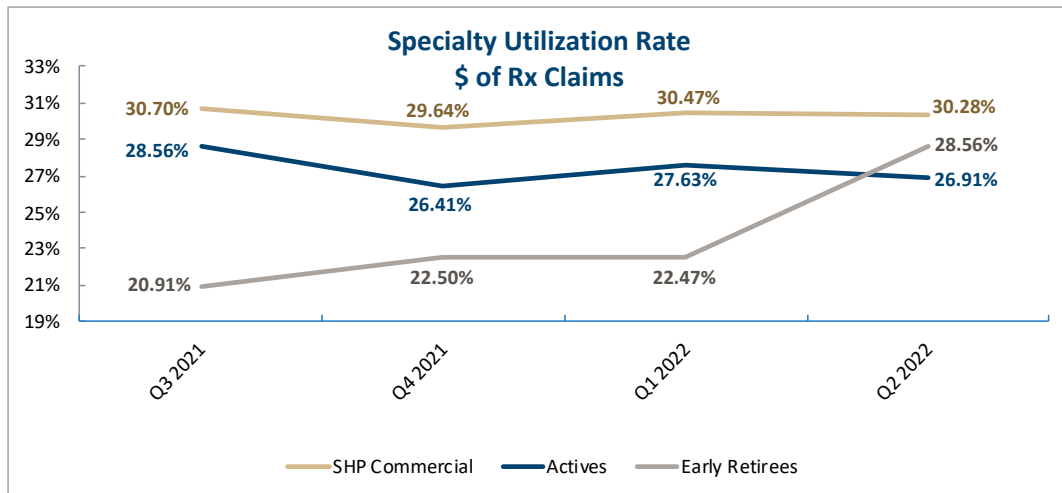
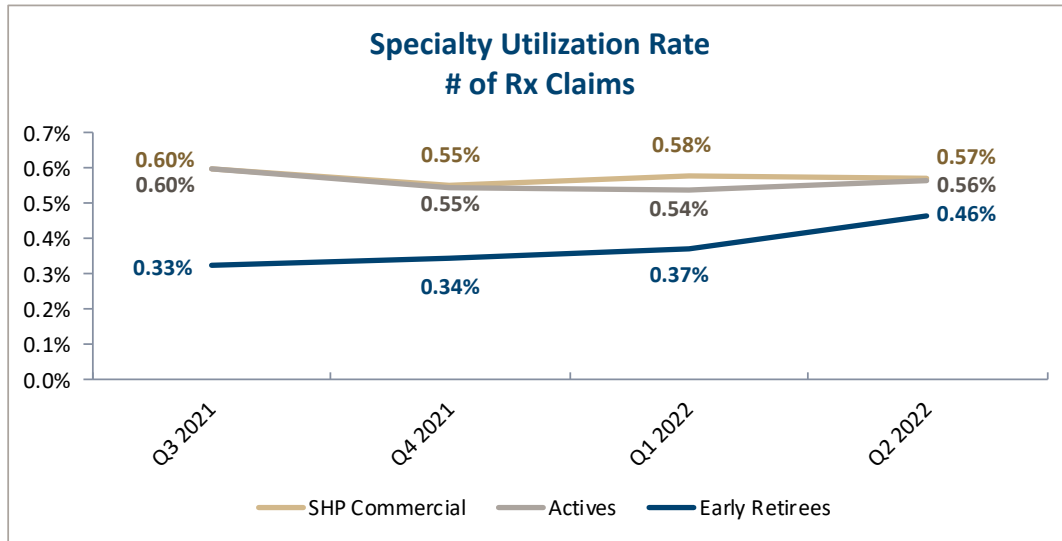
*High dollar cases consist of claims with a total over \$100,000.

Prescription
Drugs

GENERIC UTILIZATION

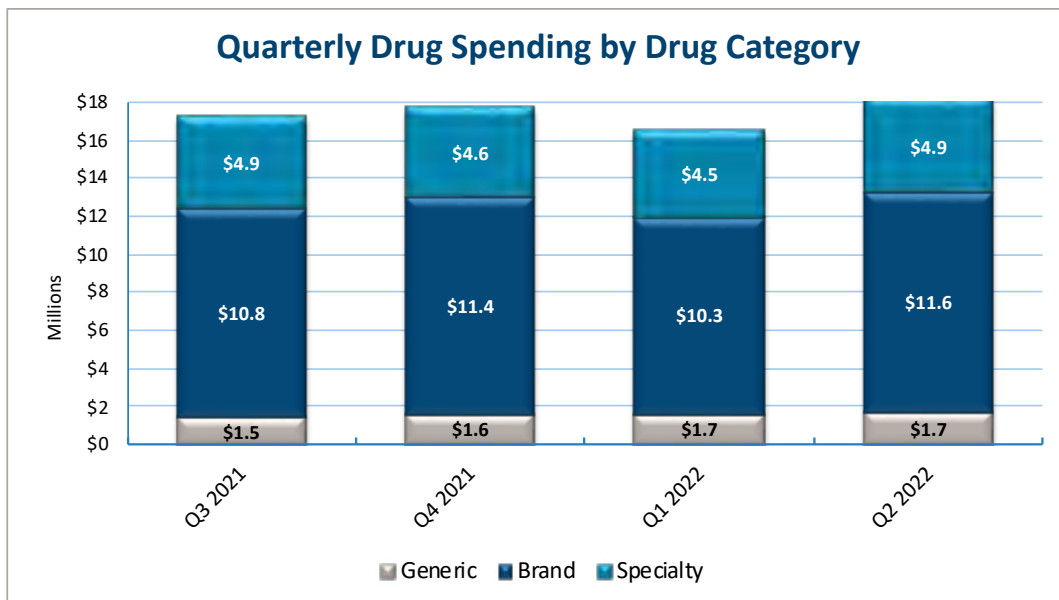
Average Paid/Rx Actives & Early Retirees
Jul 21 - Jun 22Generic Utilization Rate
of Rx ClaimsGeneric Utilization Rate
\$ of Rx Claims

SPECIALTY PHARMACY

Prescription
Drugs

Prescription Drugs

PHARMACY



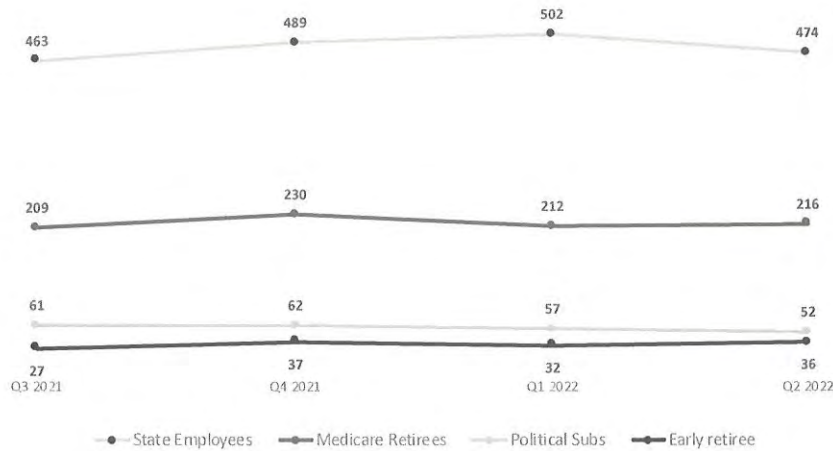
Sanford Health Plan – NDPERS EGWP			
Description	Q4 2021	Q4 2020	Change
Avg Subscribers per Month	9,143	9,116	-0.3%
Avg Members per Month	9,143	9,116	-0.3%
Number of Unique Patients	8,693	8,568	-1.4%
Pct Members Utilizing Benefit	95.1%	94.0%	-1.2%
Total Days	6,985,137	7,098,537	1.6%
Total Adjusted Rxs	251,472	236,618	-5.9%
Average Member Age	75.8	76.4	0.8%
Nbr Adjusted Rxs PMPM	4.58	4.33	-5.5%
Generic Fill Rate	92.2%	90.6%	-1.7%
90 Day Utilization	67.0%	51.6%	-23.0%
Retail - Maintenance 90 Utilization	64.9%	50.3%	-22.5%
Home Delivery Utilization	2.0%	1.3%	-35.0%

*Q2 2021 provided by ESI

*Q2 2022 provided by Humana

FITNESS CENTER REIMBURSEMENT

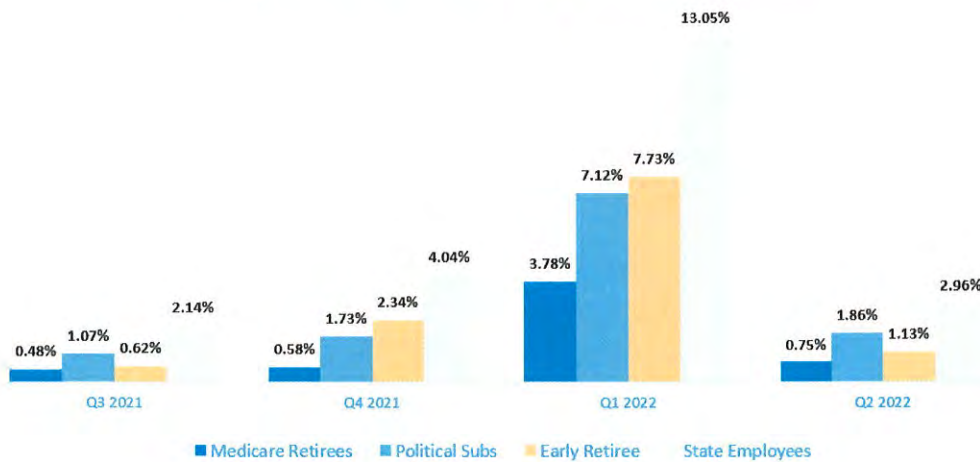
Total Number of Fitness Center Reimbursements



Dakota
Wellness
Program

HEALTH ASSESSMENT

% of Eligible Members Completing a Health Assessment



Dakota Wellness Program

LIFESTYLE MEDICINE PROGRAMS



Center for Lifestyle Medicine

NDPERS members with qualifying conditions have access to ongoing visits with a Lifestyle Medicine Specialist to create an individualized Lifestyle Medicine plan.

2022 NDPERS Q2 Participants: 28

Total NDPERS Participants that have completed the program: **42**

Outcomes among all program graduates



Graduates with an obesity diagnosis experience an average of **4%** BMI decrease



Graduates increased their physical activity by **85%**



Graduates with a type 2 diabetes diagnosis reduced their blood glucose on average by **57 points**



Exercise is Medicine (EIM)

Exercise has endless benefits to our health, including reducing obesity, improving sleep and our emotional well-being while reducing and reversing heart disease, diabetes, and high blood pressure.

Sanford Health patients who have a diagnosis of a BMI of 30 or greater, hypertension, hyperlipidemia, pre-diabetes, type 2 diabetes, metabolic syndrome or depression are eligible for this 12 week group exercise program. The goal of EIM is to increase confidence when it comes to making exercise a habit.

Q2

10

Completed the full program

ALL TIME

160

Completed the full program

Pre Program Cardiovascular Minutes (N=319)	Post Program	6 Month Post Program Cardiovascular Minutes (N=122)
Average 64 minutes per week	Average 138 minutes per week	Average 120 minutes per week
116%	increase in moderate intensity physical activity minute post program	
88%	increase in moderate intensity physical activity minutes 6 months post program	



Diabetes Prevention Program (DPP)

We are now offering in person and virtual programming.

Weight loss %
4.77%

Number of Participants
249

Reduced Disease Risk
54%

MONTHLY WELLNESS THEMES

Monthly themes keep the wellness program fresh throughout the year and keeps members engaged in their individual wellness pursuit. Newsletters, e-blasts and worksite posters are used to introduce themes.

Dakota
Wellness
Program



Dakota Wellness Program

Lifestyle Medicine

Lifestyle Medicine is a branch of medicine focused on the research, prevention, and treatment of chronic disorders attributed to lifestyle factors and preventable causes of death.

Six pillars of a healthy lifestyle

- Nutrition** that includes many plant foods such as fruits, vegetables, nuts, and seeds
- Exercise** that is consistent, sustainable and functional
- Managing stress** and finding healthy coping mechanisms
- Tobacco cessation** to reduce risk for certain cancers and maintain heart health
- Sleep** for prevention of chronic disease and a healthy immune system
- Relationships** to maintain social connectedness and improve emotional resiliency

Learn more in the
Dakota Wellness Program Newsletter.

SANFORD HEALTH PLAN

SD7450-000 Rev. 02/21



Dakota Wellness Program

Return to an exercise routine

Frequently starting and stopping exercising will make it difficult if not impossible to reach any fitness goal. If you often find yourself saying, "I'm not motivated to exercise" or "I don't have time to stick to my routine" consider the ideas below:

- Set realistic goals that are clearly defined.** Work up to exercising most days of the week and know it's okay to start with 1 or 2 days until you can add more.
- Remain flexible with your routine.** Disruptions happen — use the time you scheduled to be physically active even if your pre-planned routine changes.
- Find modes of exercise that are enjoyable to you.** If you enjoy the physical activity you are doing, you will work harder and feel happier.

Learn more in the
Dakota Wellness Program Newsletter.

SANFORD HEALTH PLAN

SD7450-000 Rev. 02/21



Dakota Wellness Program

Recognizing burnout

The last two years have been a test of career well-being. From those working on the front lines as essential workers to leaders trying to provide direction and strength at a collective time of great uncertainty. The combination of many workplace and home changes have created the perfect storm for burnout.

Signs of burnout include

- Sleeplessness or oversleeping**
- Irritability or a short fuse**
- Inability to wind down after work**
- Disinterest in work or hobbies**

Learn more in the
Dakota Wellness Program Newsletter.

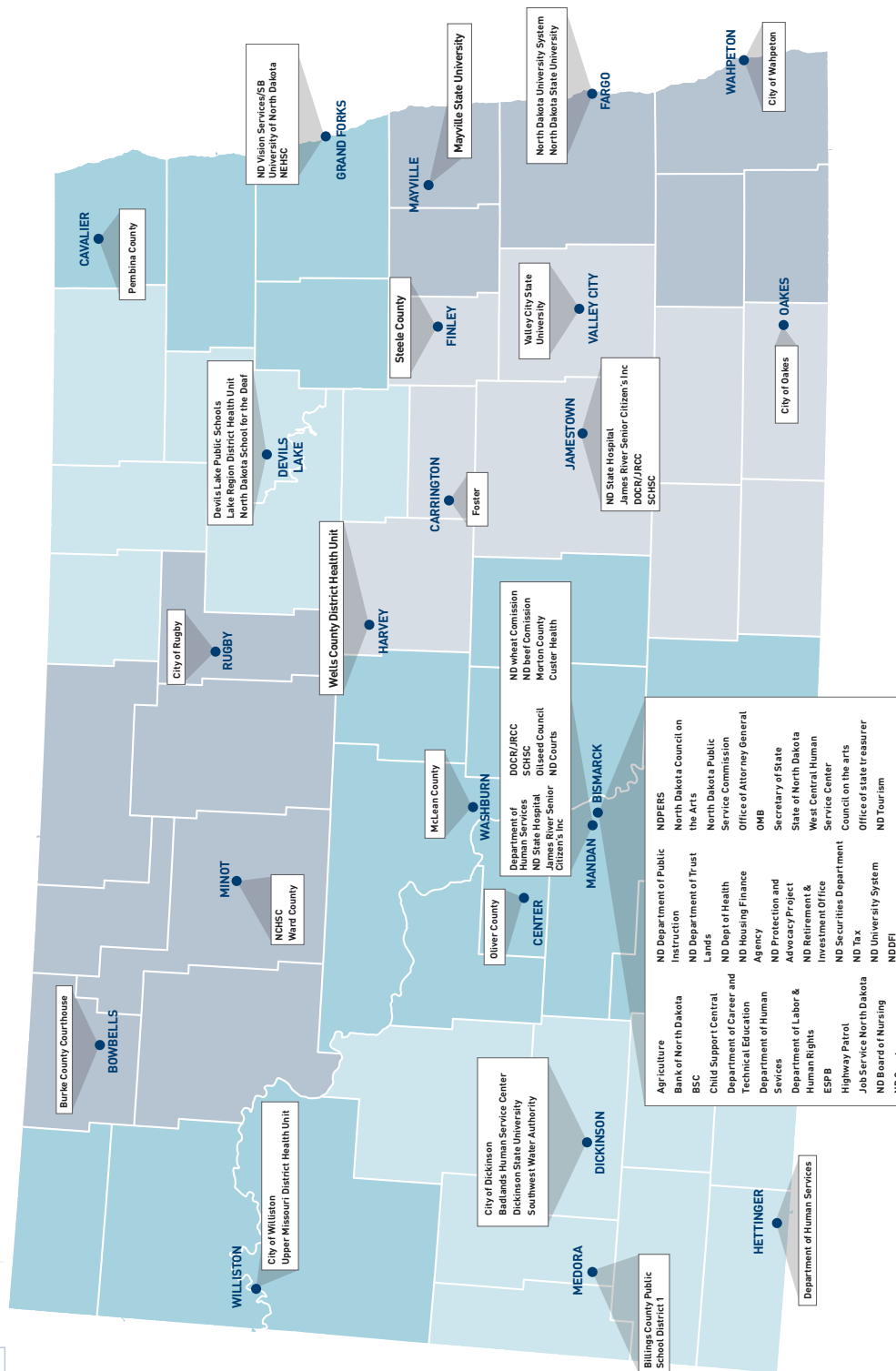
SANFORD HEALTH PLAN

SD7450-000 Rev. 02/21

Dakota Wellness Program

EVENT ATTENDANCE BY AGENCY

The Sanford Health Plan NDPERS wellness team continues to engage members across the state, despite pandemic-related in-person restrictions. Wellness educators support agency wellness coordinators and provide worksite education and activities in a virtual format. This map shows where participants are from.



TOTAL NUMBER OF AGENCIES VISITED (UNDUPLICATED)

73

PRESENTATIONS/EVENTS:

Exercise without Perfection
Self-care for Pain
Dakota Wellness
Overcoming Stress
Supporting Healthy Change with Positivity
Nutrition and Hydration
Self care for Pain
Cooking Class
Exercise Consults

TOTAL MEMBER ATTENDANCE THIS QUARTER:

2564

Special Events

Marathon in a Month Challenge and Walk @ Work

- 92 agencies registered for Walk @ Work
- 1,867 total members enrolled in the challenge
- 1,408 members met the requirements of the challenge



LaMoure County

Dakota
Wellness
Program

Diabetes Prevention Program testimonial

"Because of my weight and being less active, I was feeling my age more and more. My doctors told me to lose weight. Nothing was lasting.

Our church had a mission trip to build houses for which I volunteered. Knowing that the plane trip and working on the houses would be difficult at the weight I was at, this course came at a great time for me. I was motivated and had a fast-approaching deadline for my improved health.

With this motivation, the class was able to give me some accountability. I gained insight into the practical side of getting healthy, i.e. exercise does not need to be a full workout to be beneficial, not all calories are bad, etc.

The mission's trip was difficult and taxing on my body. However, I realize that I would not have been able to do much of what I was able to do if I did not take this class and start getting healthier before my trip."

Thanks, Brad P.

***NDPERS participants have an average of 18% BMI reduction at 7 months completion of the total 12 month CDC program.**

Performance
Standards &
Guarantees

2021-2023

MEASURE	GOAL	OUTCOME REPORTING DATES	CURRENT
WELLNESS:			
Health risk assessment completion	17%	June 30, 2023	14.81%
Worksite interventions agency participation	75%	June 30, 2023	63%
Fitness center reimbursement participation	5%	Dec. 31, 2022	*3%
Wellness redemption center payments	\$800,000	Dec. 31, 2022	On Track
Wellness redemption center rate	8%	Dec. 31, 2022	On Track
HEALTH OUTCOMES:			
Healthy Pregnancy Program	2.5%	June 30, 2022	4.4%
Diabetes Prevention Program	3%	Dec. 31, 2022	Behind schedule
Exercise is Medicine Program	3%	Dec. 31, 2022	On Track
Breast cancer screening rates	80%	June 30, 2022	79.3%
Cervical cancer screening rates	85%	June 30, 2022	77.7%
Colorectal cancer screening rates	60%	June 30, 2022	On Track
PROVIDER NETWORK/CONTRACTING:			
PPO network participation rate	Hospital, MDs & DOs: 92%	June 30, 2022	100% Hospital 96% MD/DO
Par medical network minimum discount	30%	June 30, 2022	43.64%
CUSTOMER SERVICE & CLAIMS:			
Claims financial accuracy	99%	June 30, 2022	99.96%
Claims payment accuracy	98%	June 30, 2022	99.41%
Claim timeliness	99%	June 30, 2022	99.19%
Claims procedural accuracy	95%	June 30, 2022	98.95%
Average speed of answer	30 seconds	June 30, 2022	1.36 seconds
Call abandoned rate	5% or less	June 30, 2022	4.02%
First call resolution	95%	June 30, 2022	98.92%
Written inquiry response time	95%	June 30, 2022	99.56%
PHARMACY & FINANCIAL:			
Prescription drug turnaround times	98%	June 30, 2022	99.53%
About the patient program payment	5 days	June 30, 2022	Met
Interest rate corrections	5 days	June 30, 2022	Met

*Results affected by the COVID pandemic



Memo

To: Rebecca Fricke
From: Steve Webster
Date: October 26, 2022
Re: New Diabetes prevention program launched October 2022

Positively Me by WebMD

Positively Me is a lifestyle and weight management coaching program offered by WebMD that provides 1:1 lifestyle coaching. Sanford Health Plan is collaborating with WebMD to offer this program to eligible NDPERS members to focus on diabetes prevention. This program joins our suite of diabetes prevention offerings to include Change Your Weigh Diabetes Prevention Program and Exercise is Medicine.

- **Format:** 12-month program of 1:1 coaching
 - Sessions every 2 weeks for the first 6 months
 - Sessions monthly for the remaining 6 months
- **Curriculum**
 - Addresses all aspects of well-being: nutrition, exercise, sleep stress resilience, environment, support, cognitive restructuring
 - Weekly weight measurement
- **Eligibility Criteria**
 - Primary Eligibility Criteria:
 - Biometric indicators > BMI of 30 or greater
 - Members that meet the biometric eligibility criteria will receive information regarding the Positively Me program via mail.
 - Secondary Eligibility Criteria: reviewed during introductory intake session
 - Readiness indicators
 - Contra-indication review
- **Timeline**
 - Go-live: October/2022
 - Member communication: October > Flyers were sent to those meeting the Eligibility Criteria
 - Wellness Coordinator communication: Webinar 9/27 and 10/25

RETURN SERVICE REQUESTED

Attachment 3



306-459-676 Rev. 8/22

“ I choose healthy because **SMALL STEPS** lead to **BIG CHANGE.** ”

YOUR 2022 HEALTH AND WELLNESS MEMBER BENEFITS

Live well. You're covered.

SANFORD[®]
HEALTH PLAN



Preventing type 2 diabetes

As a Sanford Health Plan member, you have diabetes prevention offerings to help you make those small lifestyle changes that can lead to big health improvements.

Option

1

Positively Me®

This yearlong, individual coaching program teaches you simple strategies to help you lose weight, increase physical activity and decrease your risk.

This coaching program includes:

- ✓ Coaching session every two weeks for the first six months
- ✓ Coaching session one time per month for the remaining six months
- ✓ Support from a trained health coach

WebMD
health services

This program is free of charge for eligible members. Learn more and enroll at (866) 746-1199.

Option

2

Exercise is Medicine

This program gives you a foundation for adding exercise into your routine and the tools to decrease your risk, both virtually or at local participating gyms.

For only \$99, you get:

- ✓ Group fitness classes for 12 weeks
- ✓ Access to a personal trainer
- ✓ Support from a wellness coach and dietitian

Friends or family can also receive a special rate. Learn more and enroll at sanfordhealthplan.com/exercise-is-medicine.



North Dakota
Public Employees Retirement System
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Executive Director
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1-800-803-7377

Fax: (701) 328-3920 Email ndpers-info@nd.gov Website <https://ndpers.nd.gov>

Memorandum

TO: NDPERS Board

FROM: Scott

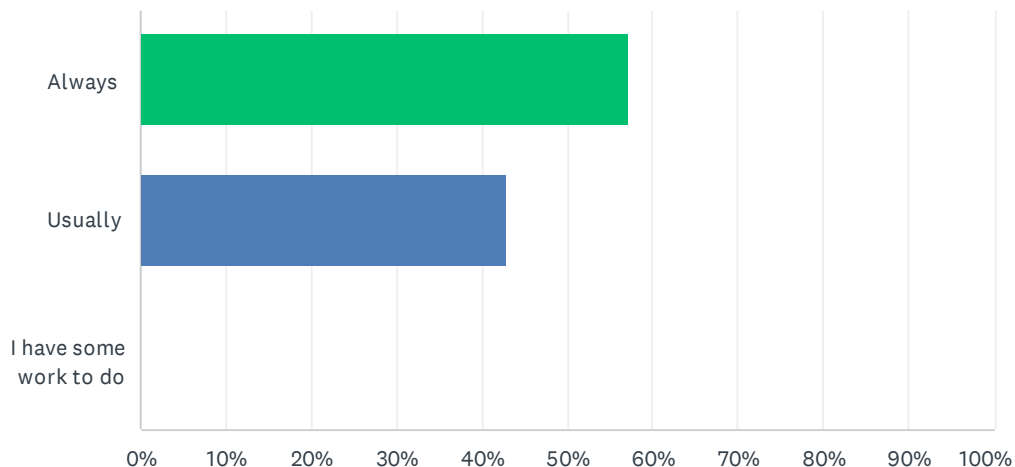
DATE: November 8, 2022

SUBJECT: Board Self-Evaluation

Attached are the results of the Board's first Self-Evaluation. We will go over the results together at the meeting. Please remember the purpose of this is to reflect on how each of you fulfills your own responsibility, and evaluate yourself to see if there are ways you as an individual and the Board as a whole can become better trustees.

Q1 I understand the authority that has been retained by the NDPERS Board and what duties have been delegated to staff.

Answered: 7 Skipped: 0

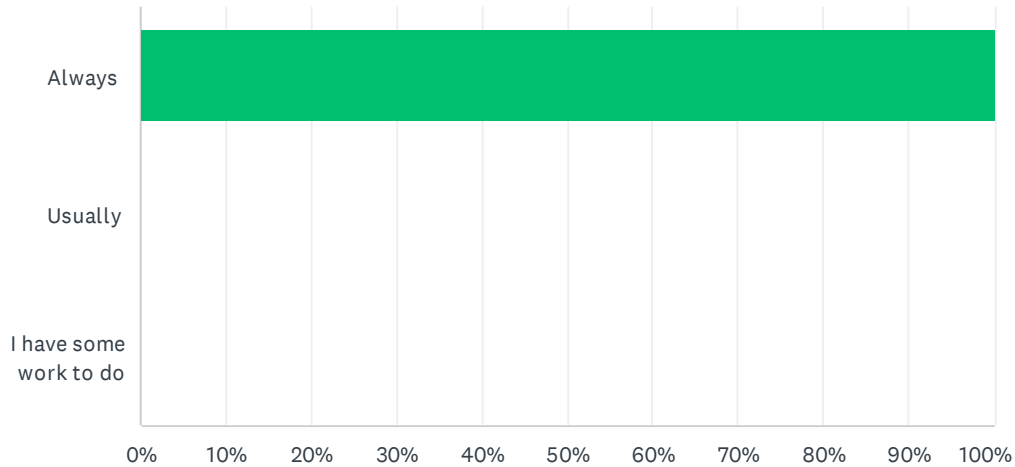


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Some of the authority assigned to appeals are questionable to level of authority we have to make changes if we disagree.	10/31/2022 9:30 AM
2	As a relatively new member, I am still learning about the board's responsibilities.	10/27/2022 9:39 AM

Q2 I work with other Board members and staff in a fair, respectful and professional manner.

Answered: 7 Skipped: 0

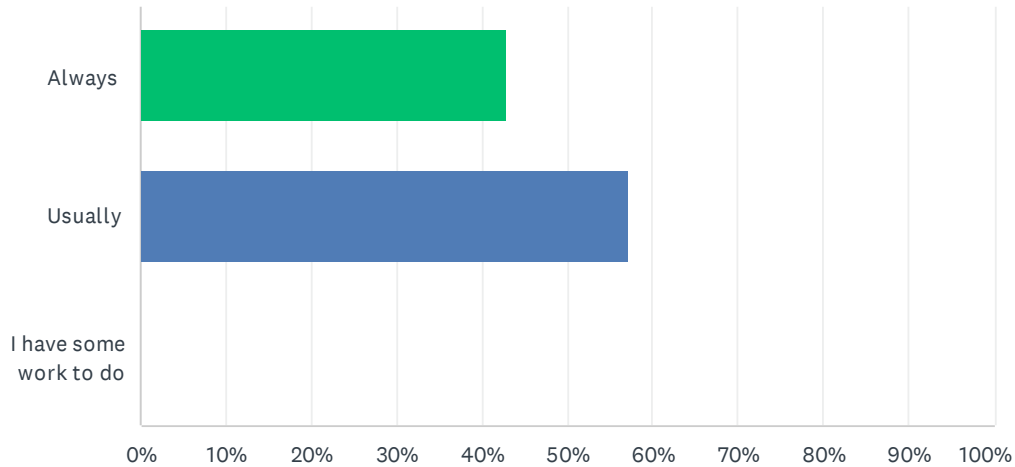


ANSWER CHOICES	RESPONSES	
Always	100.00%	7
Usually	0.00%	0
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR ANSWER.	DATE
1	The board members and staff are cordial, professional, and cooperative.	10/27/2022 9:39 AM

Q3 I actively engage in Board meetings by contributing to the discussions in a meaningful and appropriate way and listening to others.

Answered: 7 Skipped: 0

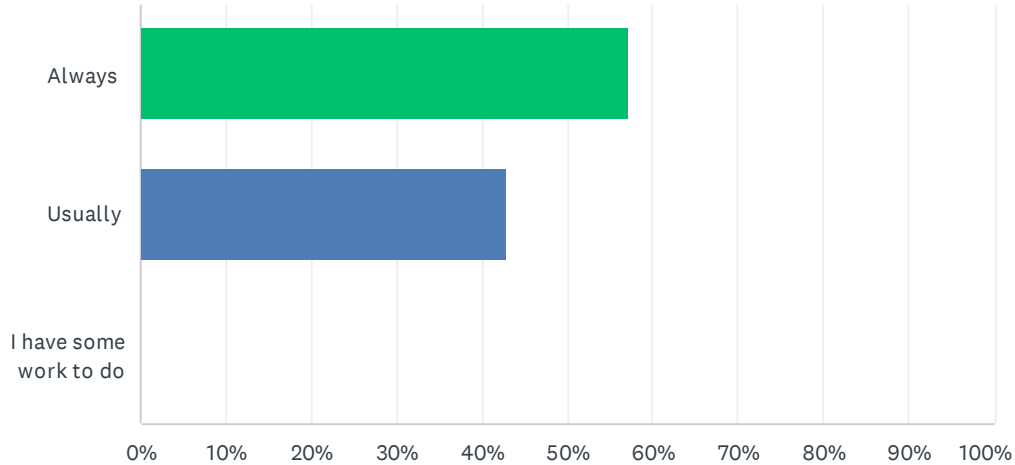


ANSWER CHOICES	RESPONSES	
Always	42.86%	3
Usually	57.14%	4
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Listening and understanding are most important. Contributing to discussions is beneficial only when the first two things are accomplished.	10/25/2022 2:23 PM

Q4 I make an effort to become educated on any NDPERS program(s) that I do not understand.

Answered: 7 Skipped: 0

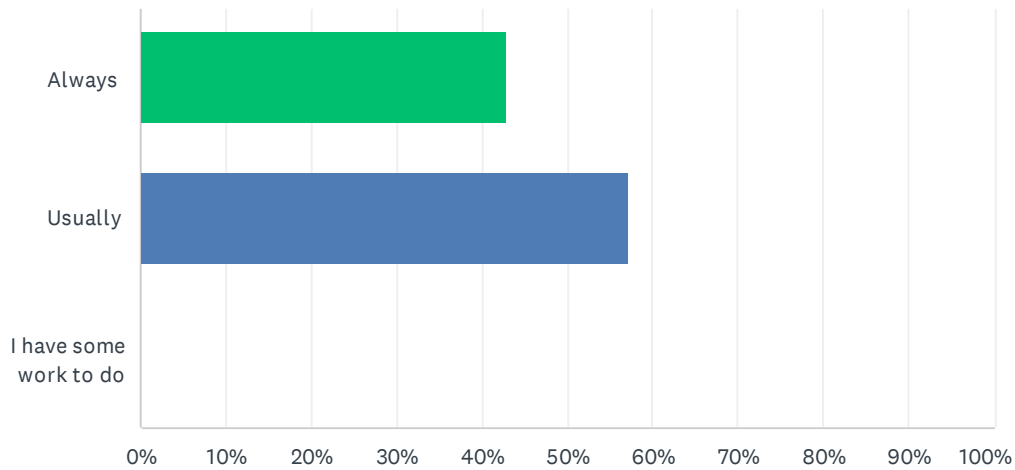


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q5 I am comfortable with the amount of time I devote as a Board member.

Answered: 7 Skipped: 0

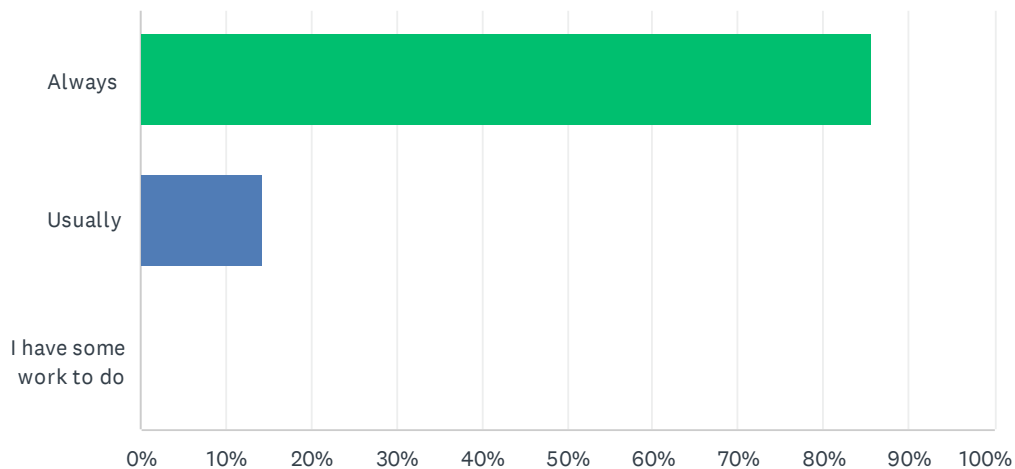


ANSWER CHOICES	RESPONSES	
Always	42.86%	3
Usually	57.14%	4
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q6 I attend the Board and Sub-committee meetings I am expected to attend.

Answered: 7 Skipped: 0

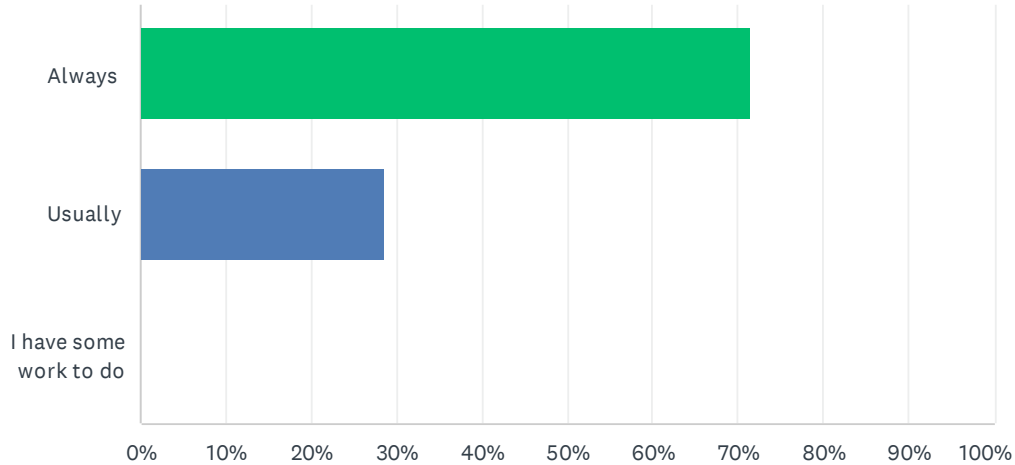


ANSWER CHOICES	RESPONSES
Always	85.71% 6
Usually	14.29% 1
I have some work to do	0.00% 0
TOTAL	7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	I missed a subcommittee meeting due to an unavoidable conflict.	10/27/2022 9:39 AM

Q7 I am prepared for Board meetings by reading and considering the information in advance.

Answered: 7 Skipped: 0

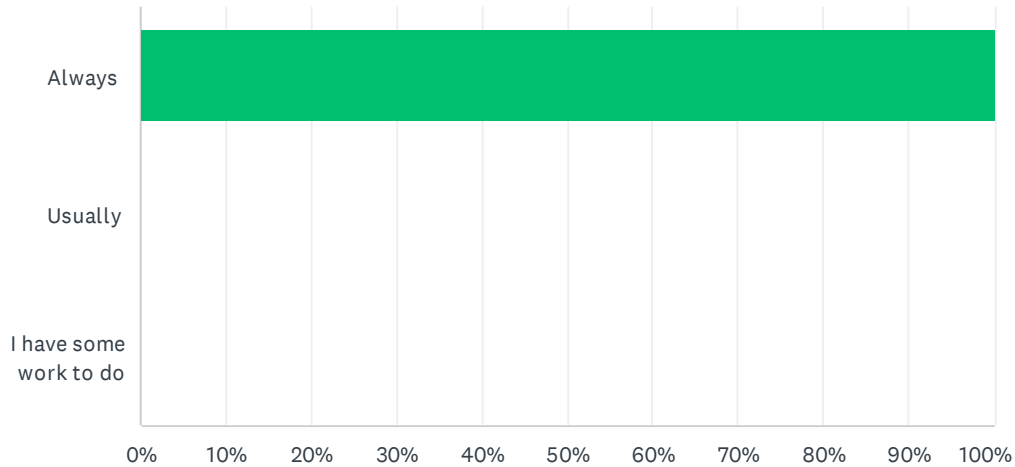


ANSWER CHOICES	RESPONSES	
Always	71.43%	5
Usually	28.57%	2
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q8 I understand the NDPERS Board's Code of Conduct requirements, abide by them, and avoid conflicts of interest.

Answered: 7 Skipped: 0

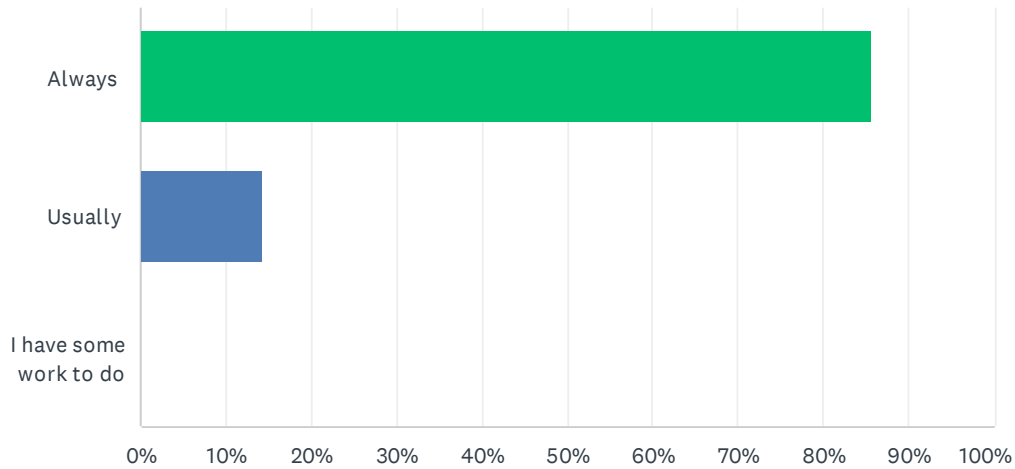


ANSWER CHOICES	RESPONSES	
Always	100.00%	7
Usually	0.00%	0
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q9 I understand the legal duties and responsibilities required of me as a fiduciary, and act for the exclusive benefit of our members and beneficiaries.

Answered: 7 Skipped: 0

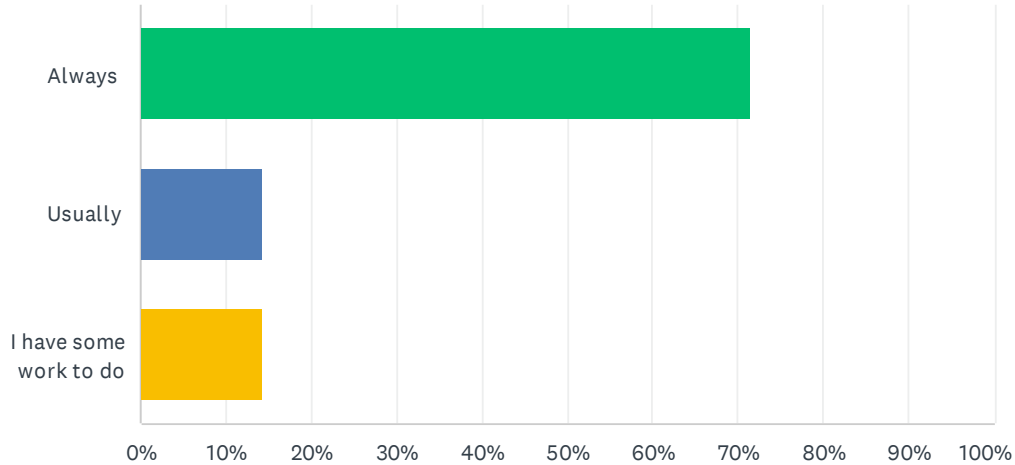


ANSWER CHOICES	RESPONSES	
Always	85.71%	6
Usually	14.29%	1
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Good presentations on this topic happen annually	10/31/2022 9:30 AM

Q10 I sufficiently understand all financial reports and seek clarification when necessary.

Answered: 7 Skipped: 0

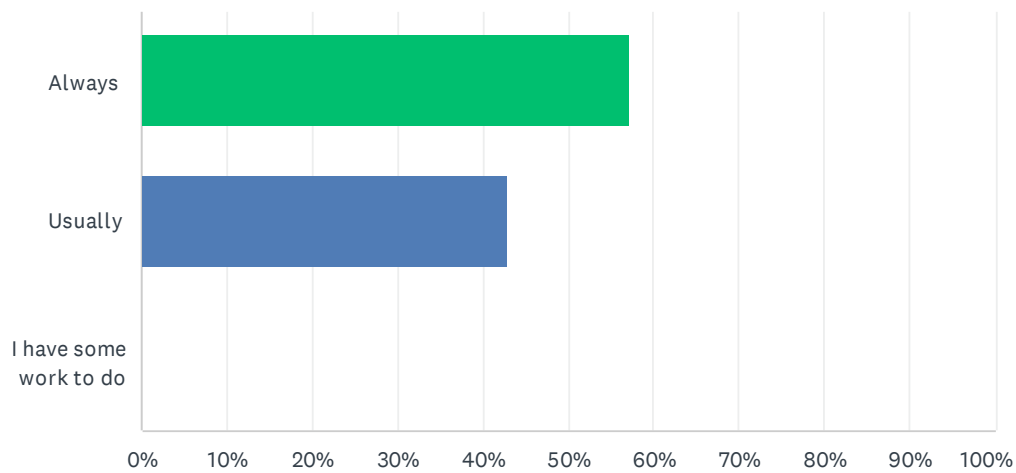


ANSWER CHOICES	RESPONSES	
Always	71.43%	5
Usually	14.29%	1
I have some work to do	14.29%	1
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q11 I find my participation on the Board to be stimulating and rewarding.

Answered: 7 Skipped: 0

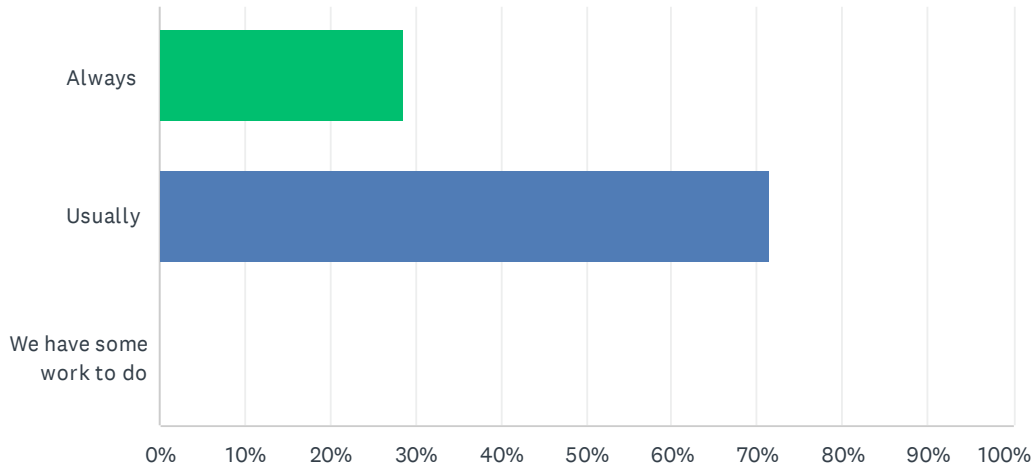


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
I have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	I've found my experience on the Board to be rewarding, always. Sometimes being on the Board is challenging, but my time on the Board has always been rewarding.	10/25/2022 2:23 PM

Q12 Board members are consistently prepared for meetings and remain engaged.

Answered: 7 Skipped: 0

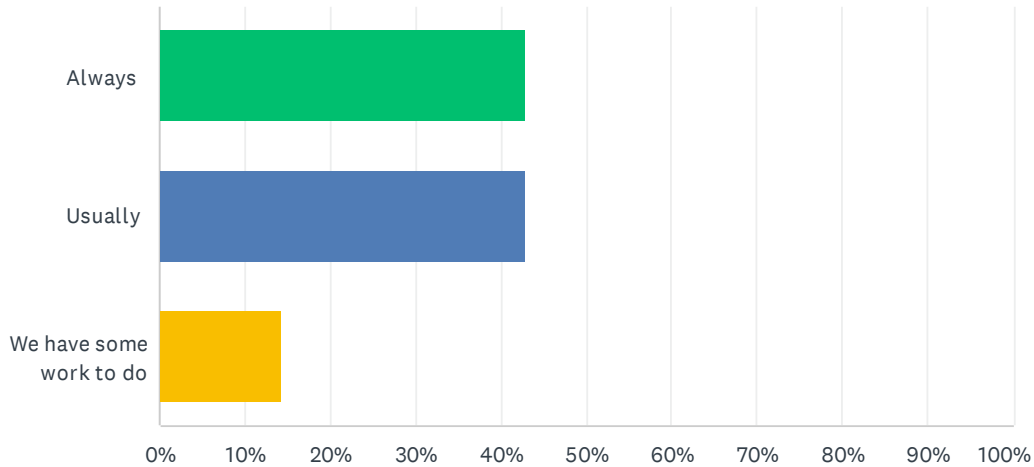


ANSWER CHOICES	RESPONSES	
Always	28.57%	2
Usually	71.43%	5
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Board members seem well prepared, but we could improve our level of engagement.	10/27/2022 9:44 AM

Q13 The Board is engaged and has healthy discussions on a topic before making a well-informed decision.

Answered: 7 Skipped: 0

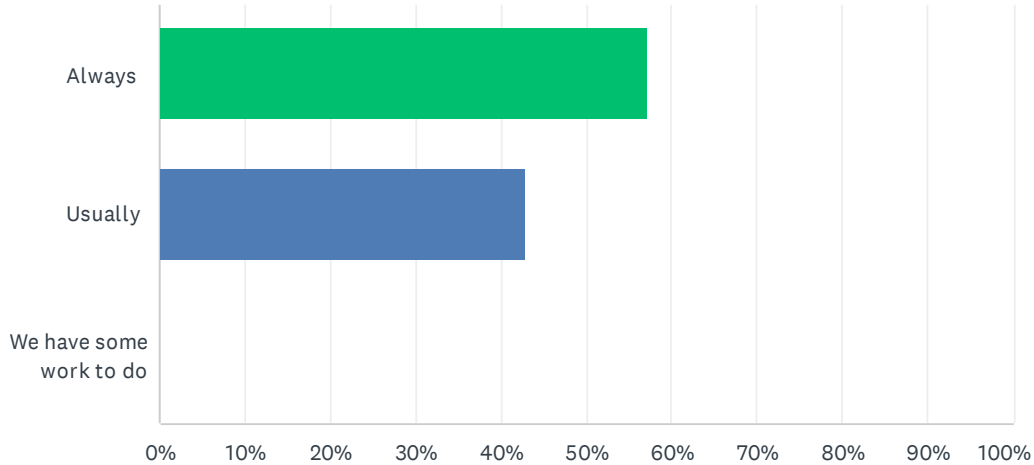


ANSWER CHOICES	RESPONSES	
Always	42.86%	3
Usually	42.86%	3
We have some work to do	14.29%	1
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	There are times when the Board chair is seeking comments or offering a chance to make a motion, and the Board members are very quiet. We could do a better job of engaging substantively.	10/27/2022 9:44 AM

Q14 The Board recognizes the authority it has retained and what has been delegated to staff.

Answered: 7 Skipped: 0

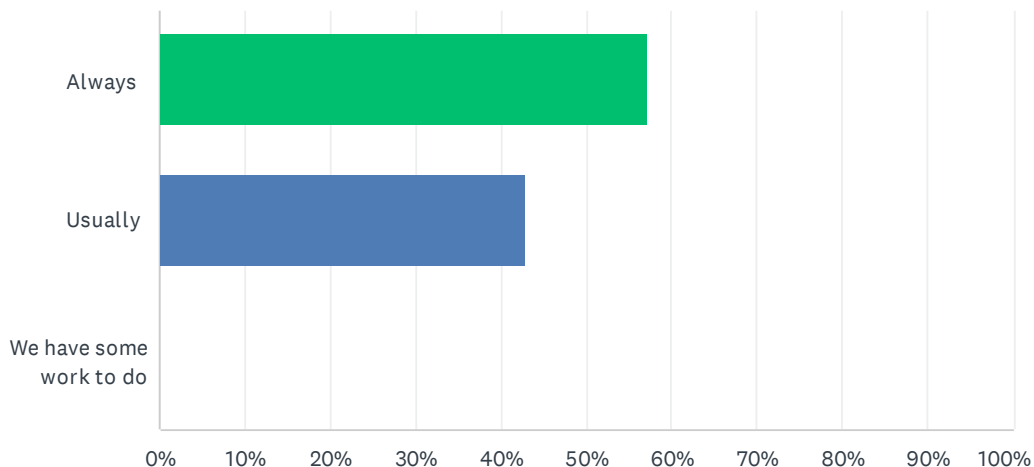


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q15 The Board is informed of issues and prepared to deal with acute situations.

Answered: 7 Skipped: 0

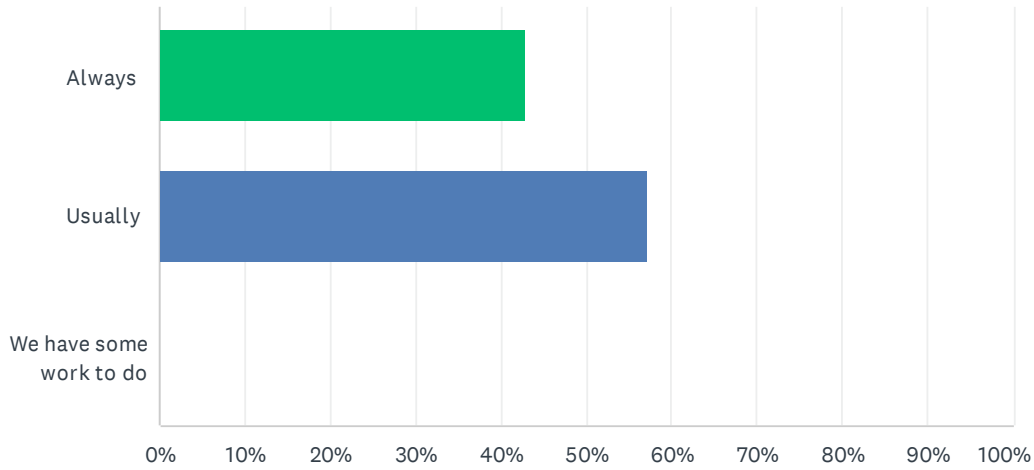


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
We have some work to do	0.00%	0
TOTAL		7

#	OTHER (PLEASE SPECIFY)	DATE
1	Scott and team do a good job of informing of issues developing	10/31/2022 9:31 AM
2	The staff do an excellent job of preparing pre-meeting materials and ensuring members have adequate information to make decisions.	10/27/2022 9:44 AM

Q16 All Board members regularly attend Board and Committee meetings.

Answered: 7 Skipped: 0

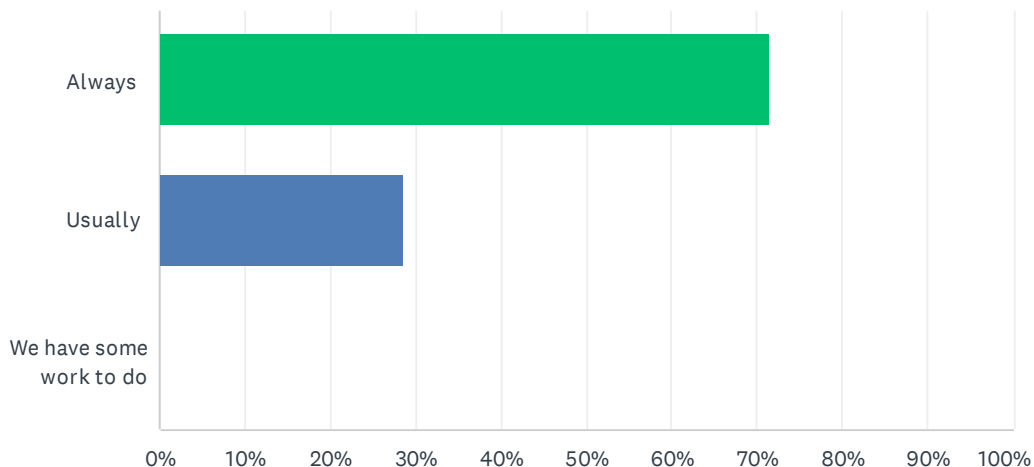


ANSWER CHOICES	RESPONSES	
Always	42.86%	3
Usually	57.14%	4
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
	There are no responses.	

Q17 Board meetings are generally well-run and make good use of members' time.

Answered: 7 Skipped: 0

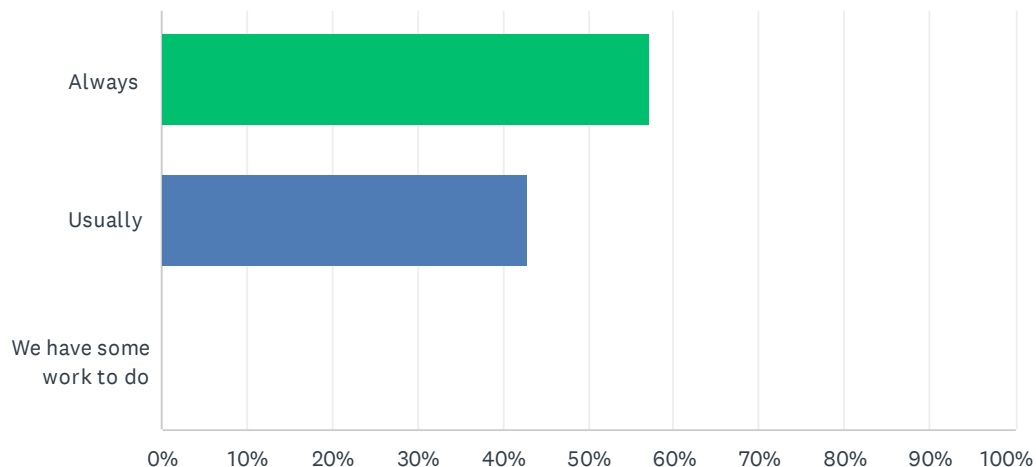


ANSWER CHOICES	RESPONSES	
Always	71.43%	5
Usually	28.57%	2
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	The staff and chair do an excellent job. Pre-meeting materials are made available to ensure members are informed about issues before meetings.	10/27/2022 9:44 AM

Q18 Board meetings have the right allocation of time between Board discussions and presentations.

Answered: 7 Skipped: 0

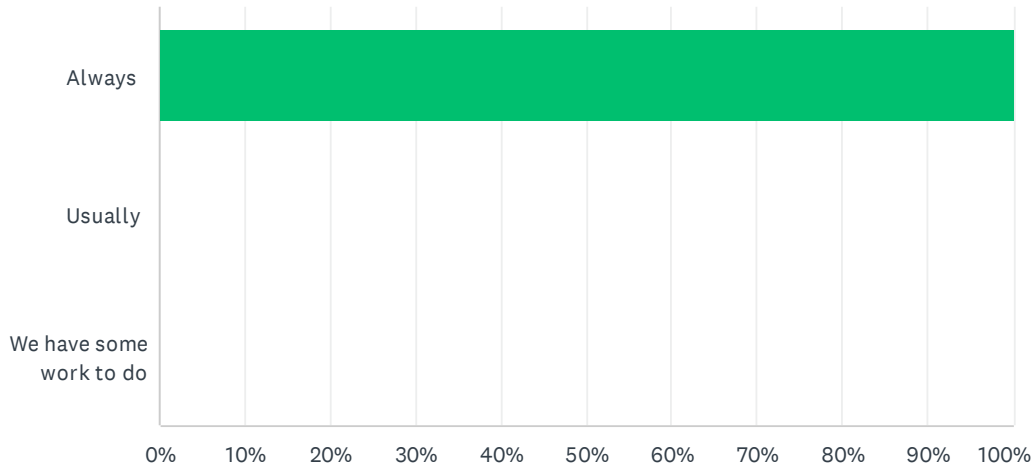


ANSWER CHOICES	RESPONSES	
Always	57.14%	4
Usually	42.86%	3
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Board members could engage in more discussions. There isn't a lack of opportunity for discussion; rather, we could use that time for more conversation about topics.	10/27/2022 9:44 AM

Q19 The Board receives useful information upon which it make its decisions.

Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Always	100.00%	7
Usually	0.00%	0
We have some work to do	0.00%	0
TOTAL		7

#	PLEASE PROVIDE ANY SPECIFIC FEEDBACK REGARDING YOUR RATING.	DATE
1	Thank you to the staff for preparing all the Board information. A lot of work goes into this for every meeting.	10/25/2022 2:24 PM

Q20 Are there any critical issues that you feel the Board should address?

Answered: 2 Skipped: 5

#	RESPONSES	DATE
1	Continue advocating for continuance of the defined benefit retirement option, with adequate funding.	10/27/2022 9:11 AM
2	I cannot identify any critical issues for the Board to address which the Board is not already aware.	10/25/2022 2:29 PM

Q21 Are there any areas in the Board self-evaluation that you would like to see addressed in the future?

Answered: 1 Skipped: 6

#	RESPONSES	DATE
1	To me, I feel this is a well-run Board with active engagement from the members. As long as this continues, the Board is in good shape.	10/25/2022 2:29 PM



**North Dakota
Public Employees Retirement System**
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Bismarck, North Dakota 58502-1657

Scott A. Miller
Executive Director
(701) 328-3900
1-800-803-7377

Fax (701) 328-3920 Email ndpers-info@nd.gov Website www.ndpers.nd.gov

Memorandum

TO: NDPERS Board

FROM: Scott

DATE: November 8, 2022

SUBJECT: Retirement Plan Contribution Increases

As we discussed in October, given the valuation results provided by GRS, the Board may want to consider drafting legislation to increase contributions for the Main PERS plan, the Highway Patrol plan, and the Retiree Health Insurance Credit plan. While the deadline for us to submit a proposed bill to the Employee Benefits Programs Committee was April 1, the Committee did grant us an exception during their meeting on October 26th.

I have had a conversation with Highway Patrol leadership, and will report on that discussion at the Board meeting.

Attached is a draft bill with increases for HP and NDPERS main plan. This will be part of the discussion.

Board Action Requested: Determine whether to draft appropriate contribution increase bills for submission to the 2023 Legislative Assembly.

Introduced by

1 A BILL for an Act to amend and reenact section 39-03.1-10, subsection 1 of section
2 54-52-02.9, subsection 1 of section 54-52-06, subsection 6 of section 54-52.6-02, and
3 subsection 2 of section 54-52.6-09 of the North Dakota Century Code, relating to
4 contributions to the highway patrol retirement system by the state and increased
5 employer and employee contributions under the public employees retirement system
6 defined benefit and defined contribution plans.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 39-03.1-10 of the North Dakota Century
9 Code is amended and reenacted as follows:

10 The state shall contribute to the fund a sum equal to sixteen and seventy-
11 hundredths percent of the monthly salary or wage of a participating member. State
12 contributions increase by one percent of the monthly salary or wage of a participating
13 member beginning with the monthly reporting period of January 2012, and with an
14 additional increase of one percent, beginning with the reporting period of January 2013,
15 and with an additional increase of one percent, beginning with the monthly reporting
16 period of January 2014, and with an additional increase of two percent on January 1,
17 2024, and with an additional increase of two percent on January 1, 2025. If the
18 member's contribution is paid by the state under subsection 2 of section 39-03.1-09, the
19 state shall contribute, in addition, an amount equal to the required member's
20 contribution. The state shall pay the associated employer contribution for those
21 members who elect to exercise their rights under subsection 3 of section 39-03.1-10.1.

1 **SECTION 2. AMENDMENT.** Subsection 1 of section 54-52-02.9 of the North
2 Dakota Century Code is amended and reenacted as follows:

- 3 1. A temporary employee may elect, within one hundred eighty days of
4 beginning employment, to participate in the public employees retirement
5 system and receive credit for service after enrollment. The temporary
6 employee shall pay monthly to the fund an amount equal to eight and
7 twelve-hundredths percent times the temporary employee's present
8 monthly salary. The amount required to be paid by a temporary employee
9 increases by two percent times the temporary employee's present monthly
10 salary beginning with the monthly reporting period of January 2012, and
11 with an additional two percent increase, beginning with the reporting period
12 of January 2013, and with an additional increase of two percent, beginning
13 with the monthly reporting period of January 2014, and with an additional
14 increase of one and 95 one-hundredths percent, beginning with the
15 monthly reporting period of January 2024.

16 **SECTION 3. AMENDMENT.** Subsection 1 of section 54-52-06 of the North
17 Dakota Century Code is amended and reenacted as follows:

- 18 1. Each governmental unit shall contribute an amount equal to four and
19 twelve-hundredths percent of the monthly salary or wage of a participating
20 member. Governmental unit contributions increase by one percent of the
21 monthly salary or wage of a participating member beginning with the
22 monthly reporting period of January 2012, ~~and~~; with an additional increase
23 of one percent, beginning with the reporting period of January 2013, ~~and~~;
24 with an additional increase of one percent, beginning with the monthly
25 reporting period of January 2014, and with an additional increase of one
26 and 95 one-hundredths percent, beginning with the monthly reporting
27 period of January 2024.

1 **SECTION 4. AMENDMENT.** Subsection 6 of section 54-52.6-02 of the North
2 Dakota Century Code is amended and reenacted as follows:

3 6. A participating member who becomes a temporary employee may still
4 participate in the defined contribution retirement plan upon filing an
5 election with the board within one hundred eighty days of transferring to
6 temporary employee status. The participating member may not become a
7 member of the defined benefit plan as a temporary employee. The
8 temporary employee electing to participate in the defined contribution
9 retirement plan shall pay monthly to the fund an amount equal to eight and
10 twelve-hundredths percent times the temporary employee's present
11 monthly salary. The amount required to be paid by a temporary employee
12 increases by two percent times the temporary employee's present monthly
13 salary beginning with the monthly reporting period of January 2012,~~and;~~
14 with an additional increase of two percent, beginning with the monthly
15 reporting period of January 2013,~~and;~~ with an additional increase of two
16 percent, beginning with the monthly reporting period of January 2014; and
17 with an additional increase of one and 95 one-hundredths percent,
18 beginning with the monthly reporting period of January 2024. The
19 temporary employee shall also pay the required monthly contribution to the
20 retiree health benefit fund established under section 54-52.1-03.2. This
21 contribution must be recorded as a member contribution pursuant to
22 section 54-52.1-03.2. An employer may not pay the temporary employee's
23 contributions. A temporary employee may continue to participate as a
24 temporary employee until termination of employment or reclassification of
25 the temporary employee as a permanent employee.

26 **SECTION 5. AMENDMENT.** Subsection 2 of section 54-52.6-09 of the North
27 Dakota Century Code is amended and reenacted as follows:

1 2. The employer shall contribute an amount equal to four and twelve-
2 hundredths percent of the monthly salary or wage of a participating
3 member. Employer contributions increase by one percent of the monthly
4 salary or wage of a participating member beginning with the monthly
5 reporting period of January 2012; with an additional increase of one
6 percent, beginning with the monthly reporting period of January 2013; ~~and~~
7 with an additional increase of one percent, beginning with the monthly
8 reporting period of January 2014; and with an additional increase of one
9 and 95 one-hundredths percent, beginning with the monthly reporting
10 period of January 2024. For members first enrolled after December 31,
11 2019, the employer contribution includes an additional increase of one and
12 fourteen-hundredths percent. If the employee's contribution is paid by the
13 employer under subsection 3, the employer shall contribute, in addition, an
14 amount equal to the required employee's contribution. Monthly, the
15 employer shall pay such contribution into the participating member's
16 account from the employer's funds appropriated for payroll and salary or
17 any other funds available for such purposes. If the employer fails to pay
18 the contributions monthly, the employer is subject to a civil penalty of fifty
19 dollars and, as interest, one percent of the amount due for each month of
20 delay or fraction of a month after the payment became due. In lieu of
21 assessing a civil penalty or one percent per month, or both, interest at the
22 actuarial rate of return may be assessed for each month the contributions
23 are delinquent. If contributions are paid within ninety days of the date the
24 contributions became due, penalty and interest to be paid on delinquent
25 contributions may be waived.



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Fax (701) 328-3920 Email ndpers-info@nd.gov Website www.ndpers.nd.gov

Memorandum

TO: NDPERS Board

FROM: Scott

DATE: November 8, 2022

SUBJECT: Medical Consulting Contract

NDPERS has contracted with Mid-Dakota Clinic for Medical Consulting services related to disability determinations for our retirement plans. Innovis Health (an affiliate of Essentia Health) has purchased Mid-Dakota Clinic. Innovis has requested that we sign the attached agreement consenting to the transfer of rights and responsibilities under our consulting contract from Mid-Dakota Clinic to Innovis. Dean has reviewed and approved the agreement.

We also believe we will need a Business Associate Agreement (BAA) with Innovis in order to share confidential member medical information. Dean was reviewing the proposed BAA when the Board book went out.

If the Board declines to approve the agreement, we will need to issue a Request for Proposals (RFP) very quickly to obtain these services.

Board Action Requested: Approve the proposed agreement or direct staff to go out for a RFP for these services.



MID DAKOTA CLINIC
The doctors you know and trust.®

Attachment

September 23, 2022

Via Certified Mail, Return Receipt Requested

State of North Dakota
Public Employees Retirement System
PO Box 1657
Bismarck, ND 58502-1657

RECEIVED
SEP 30 2022
ND PERS

Re: Notice of Proposed Assignment and Request for Consent

Ladies and Gentlemen:

This letter is in regard to the Medical Consulting Agreement between your organization and Mid Dakota Clinic, P.C. (the “**Clinic**”), dated July 1, 2021, together with any and all of its exhibits, attachments, amendments, and addenda (the “**Agreement**”). The Clinic, the Clinic’s shareholders, and Innovis Health, LLC (“**Innovis**”), an affiliate of Essentia Health, have entered into a Stock Purchase Agreement dated September 16, 2022, pursuant to which Innovis intends to acquire the stock of the Clinic, effective as of October 1, 2022, or such other date on which the closing of the Transaction is effective, immediately after which Innovis will transfer substantially all of the assets of the Clinic to Innovis (collectively, the “**Transaction**”). This letter provides you with notice of the proposed assignment of the Agreement to Innovis upon and subject to the closing of the Transaction.

We request that you consent to the assignment of the Agreement to Innovis by signing and returning the attached Assignment, Assumption and Consent Agreement (the “**Assignment**”) at your earliest opportunity, but in any case no later than **September 30, 2022**. You may email your executed Assignment to Dawn LaPointe at Dawn.LaPointe@EssentiaHealth.org, or mail it to the address set forth at the bottom of the Assignment. If the Transaction does not close, this Assignment will be null and void and the assignment of the Agreement will not occur. If the closing date changes, we will promptly notify you in writing.

If you have any questions regarding this request, please contact Dawn LaPointe by email at the email address above or by telephone at (218) 786-8340.

Thank you for your prompt attention to this matter.

Sincerely,

Sophie Y. Morgan, JD, CHC
Chief Legal and Compliance Officer

cc: Dawn LaPointe, Essentia Health

ASSIGNMENT, ASSUMPTION AND CONSENT AGREEMENT

THIS ASSIGNMENT, ASSUMPTION AND CONSENT AGREEMENT (this “**Assignment**”) is made and entered into effective as of the date on which the closing of the Transaction (as defined below) occurs (the “**Effective Date**”), by and among Mid Dakota Clinic, P.C. (“**Assignor**”), Innovis Health, LLC (“**Assignee**”), and State of North Dakota, Public Employees Retirement System (“**Consenting Party**”).

RECITALS

WHEREAS, Assignor and Consenting Party entered into that certain Medical Consulting Agreement, dated July 1, 2021, together with any and all of its exhibits, attachments, amendments, and addenda (the “**Agreement**”); and

WHEREAS, in connection with a proposed transaction between Assignor and Assignee pursuant to which Assignee will acquire Assignor’s business, including the Agreement (the “**Transaction**”), Assignor desires to assign to Assignee all of Assignor’s rights, title, and interests in and under the Agreement, and Assignee desires to assume all of Assignor’s duties under the Agreement; and

WHEREAS, subject to and upon the occurrence of the closing of the Transaction, Consenting Party desires to consent to the assignment of the Agreement from Assignor to Assignee, release Assignor from its obligations under the Agreement, and substitute Assignee for Assignor as a party to the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions set forth in this Assignment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Assignment, Assumption and Consent.

1.1 Assignment. Effective as of the Effective Date, Assignor hereby grants, sells, transfers, conveys, assigns, and delivers to Assignee all of Assignor’s rights, title, and interests in and under the Agreement.

1.2 Assumption. Effective as of the Effective Date, Assignee hereby accepts the foregoing assignment and assumes all of Assignor’s duties under the Agreement and agrees to perform all of such duties accruing on and after the Effective Date.

1.3 Consent. Effective as of the Effective Date, Consenting Party hereby (a) consents to the transfer, conveyance, assignment, and delivery from Assignor to Assignee of all of Assignor’s rights, title, and interests in and under the Agreement; (b) waives any and all restrictions on such transfer, conveyance, assignment, and delivery that may be contained in the Agreement; (c) releases Assignor from its duties under the Agreement accruing on and after the Effective Date; and (d) substitutes Assignee for Assignor as a party to the Agreement.

2. Notices. Commencing as of the Effective Date, all notices to Assignee shall be sent to:

Innovis Health, LLC
Attn: President
3000 32nd Avenue SW
Fargo, ND 58103


With a copy to:
Essentia Health
Attn: Chief Legal Officer
502 East 2nd Street
Duluth, MN 55805

3. Authorization. Each party certifies that this Assignment has been duly authorized, executed, and delivered by it.

IN WITNESS WHEREOF, the parties have executed this Assignment to be effective as of the Effective Date.

“Assignee”

INNOVIS HEALTH, LLC

By:  _____

Name: Al Hurley
Title: COO – West

“Assignor”

MID DAKOTA CLINIC, P.C.

By:  _____

Name: Sophie Y. Morgan, JD, CHC
Title: Chief Legal and Compliance Officer

“Consenting Party”

State of North Dakota, Public Employees Retirement System

By: _____

Printed Name: _____

Its: _____

This signed Assignment, Assumption, and Consent Agreement should be sent to Essentia Health as follows:

IF BY MAIL: Essentia Health
 Corporate Office | MDMC120
 Attn: Dawn LaPointe
 502 E. 2nd Street
 Duluth, MN 55805

IF BY EMAIL: Dawn.LaPointe@EssentiaHealth.org



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Fax (701) 328-3920 Email ndpers-info@nd.gov Website www.ndpers.nd.gov

Memorandum

TO: NDPERS Board

FROM: Derrick Hohbein

DATE: November 8, 2022

SUBJECT: Group Life Insurance Plan Request For Proposal (RFP)

The Group Life Insurance Plan RFP was issued on November 1st.

Following are the key dates for the proposal process:

Date	Activity
November 01, 2022	RFP is issued.
November 22, 2022	Written questions regarding proposals must be received by NDPERS no later than 5:00 p.m. (CDT).
December 06, 2022	NDPERS posts responses to all questions received.
December 22, 2022	Proposals must be received by 5:00 p.m. (CDT).
February 2023	Begin finalist interviews and Best and Final Offers if deemed necessary by the NDPERS Board.
March 2023	Selection and award of contract by NDPERS.
July 1, 2023	Effective Date of Coverage.

Buck Consultants will analyze the proposals and narrow them down to 3 or 4 for NDPERS to review.

If you have any questions, additions or changes to the Group Life Insurance Plan RFP, we will be available at the NDPERS Board Meeting to discuss.

This update is informational.



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Memorandum

TO: NDPERS Board

FROM: Derrick Hohbein

DATE: November 8, 2022

SUBJECT: Vision Insurance Request For Proposal (RFP)

NDPERS staff, in coordination with Buck consultants, have begun work on the Vision Insurance RFP. We have an initial draft completed and are on track with our project timeline.

Following are the key dates for the proposal process:

Date	Activity
February 1, 2023	RFP is issued.
February 24, 2023	Written questions regarding proposals must be received by NDPERS no later than 5:00 p.m. (CDT).
March 10, 2023	NDPERS posts responses to all questions received.
March 31, 2023	Proposals must be received by NDPERS no later than 5:00 p.m.
May 2023	NDPERS Board review of proposals.
June 2023	Finalist interviews and Best and Final Offers due, if deemed necessary by the NDPERS Board
End of August 2023	Selection and award of contract by NDPERS.

If you have any questions, additions or changes to the Vision RFP, we will be available at the NDPERS Board Meeting to discuss.

This update is informational.



**North Dakota
Public Employees Retirement System**
1600 East Century Avenue, Suite 2 • PO Box 1657
Bismarck, North Dakota 58502-1657

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Memorandum

TO: NDPERS Board

FROM: Scott

DATE: November 8, 2022

SUBJECT: Legislative Relations/Update

The Employee Benefits Programs Committee met just after the Board's meeting on October 25. At that meeting, the Committee took jurisdiction of several more bills:

[Interim Committee Bill Draft - LC Number 23.0147.01000 \(ndlegis.gov\)](#) – A second bill to require the NDPERS health plan to increase coverage for infertility

[Interim Committee Bill Draft - LC Number 23.0160.01000 \(ndlegis.gov\)](#) – would require the state to pay the employee contributions to the PERS retirement plans

[Interim Committee Bill Draft - LC Number 23.0203.01000 \(ndlegis.gov\)](#) – would require PERS to contract with a third party to conduct a “low-carbohydrate diet diabetes pilot program”. Interestingly, the bill would require half of the enrollees we enlist in the program to be “identified as a control group”.

The Committee also considered previous bills over which it had taken jurisdiction and decided whether to give them favorable, unfavorable, or no recommendations.

[Interim Committee Bill Draft - LC Number 23.0002.02000 \(ndlegis.gov\)](#) – require the PERS health plan to increase coverage of prosthetic appliances and limbs – favorable recommendation

[Interim Committee Bill Draft - LC Number 23.0008.01000 \(ndlegis.gov\)](#) – would make all “peace officers” employed by the State (other than Highway Patrol members) members of the BCI agent public safety system - no recommendation

[Interim Committee Bill Draft - LC Number 23.0077.01000 \(ndlegis.gov\)](#) – would require new BCI agents to have a ten-year vesting for benefits, up from the current three years; would increase the retirement multiplier for the first twenty years of service to 3%, and reduce the multiplier for all additional years to 1.75% - favorable recommendation

[Interim Committee Bill Draft - LC Number 23.0087.01000 \(ndlegis.gov\)](#) – would eliminate the Main PERS plan as a recipient of additional monies from the legacy sinking and interest fund, and establish the Main PERS plan as a recipient of up to \$50 million/biennium from the legacy earnings fund – favorable recommendation

[Interim Committee Bill Draft - LC Number 23.0092.01000 \(ndlegis.gov\)](#) - Seeks to reduce the cost of prescription drugs to North Dakota citizens by establishing a program to cap payments for certain drugs at the amount set in various Canadian provinces – deferred

[Interim Committee Bill Draft - LC Number 23.0093.01000 \(ndlegis.gov\)](#) – would require the NDPERS health plan to expand its coverage of infertility treatment up to a maximum of \$50,000 - deferred

The Retirement Committee also met, and approved the submission of two bills to the next session, one of which would close the DB plan on January 1, 2024, and the other of which would close it on January 1, 2025. We will review the provisions of the bills during the meeting. You can view them here:

[Interim Committee Bill Draft - LC Number 23.0196.04000 \(ndlegis.gov\)](#)

[Interim Committee Bill Draft - LC Number 23.0280.02000 \(ndlegis.gov\)](#)

This is informational.



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Memorandum

TO: NDPERS Board

FROM: Scott

DATE: November 8, 2022

SUBJECT: Proposed Legislation

Attached is the only piece of legislation the Board chose to submit to the Employee Benefits Programs Committee on April 1st for that Committee's consideration. That bill was designed to remove the Final Average Salary (FAS) calculation that existed prior to the Board-proposed change in the 2019 session. If you recall, the older FAS calculation was based on the highest 36 months out of the past 15 years, whereas the new calculation is based on the highest three twelve consecutive month periods out of the past 15 years. The new calculation is designed to remove the impact of three-paycheck months for members paid bi-weekly.

When the Board approved submitting the attached legislation, we knew we were still getting many members who had a higher FAS calculation based on the old methodology. However, we decided we'd wait until later in the year to see if that number was trending down toward zero. Unfortunately, based on August and September retirees, that is not the case: 16% of retirees had a higher FAS under the old calculation.

Because this bill would still detrimentally impact so many members, I would suggest we withhold submitting this bill until the 2025 Legislative Assembly. We can re-evaluate the effect on our membership at that time.

Board Action Requested: Determine whether to submit the attached bill to the 2023 Legislative Assembly.

23.0054.01000

Sixty-eighth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(At the request of the Public Employees Retirement System)

1 A BILL for an Act to amend and reenact subsection 2 of section 39-03.1-11 and subsection 2 of
2 section 54-52-17 of the North Dakota Century Code, relating to the computation of final average
3 salary for benefits under the highway patrolmen's retirement system and the public employees
4 retirement system.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-03.1-11 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 2. Retirement benefits are based on the contributor's final average salary. Final average
9 salary is the average of the highest salary received by the contributor for any thirty-six
10 months employed during the last one hundred twenty months of employment. For
11 ~~contributors~~ a contributor who ~~terminat~~terminates employment on or after August 1,
12 2010, final average salary is the average of the highest salary received by the
13 contributor for any thirty-six months employed during the last one hundred eighty
14 months of employment. For ~~contributors~~ a contributor who ~~terminat~~terminates
15 employment between July 31, 2005, and August 1, 2010, final average salary is the
16 average of the highest salary received by the ~~member~~contributor for any thirty-six
17 months employed during the period for which the board has appropriate and accurate
18 salary records on its electronic database, but that period may not be more than the
19 last one hundred eighty months of employment. For ~~members~~ a contributor who
20 ~~terminat~~terminates employment after December 31, 2019, final average salary is the
21 ~~higher of the final average salary calculated on December 31, 2019, or the average~~
22 salary earned in the three highest periods of twelve consecutive months employed
23 during the last one hundred eighty months of employment. Months without earnings
24 are excluded for the purpose of computing an average. If the contributor has worked

1 for less than thirty-six months at the postponed retirement date, the final average
2 salary is the average salary for all months of employment.

3 **SECTION 2. AMENDMENT.** Subsection 2 of section 54-52-17 of the North Dakota Century
4 Code is amended and reenacted as follows:

5 2. Retirement benefits are calculated from the participating member's final average
6 salary, which is the average of the highest salary received by the member for any
7 thirty-six months employed during the last one hundred twenty months of employment.
8 For ~~members~~a member who ~~terminat~~terminates employment on or after August 1,
9 2010, final average salary is the average of the highest salary received by the member
10 for any thirty-six months employed during the last one hundred eighty months of
11 employment. For ~~members~~a member who ~~terminat~~terminates employment between
12 July 31, 2005, and August 1, 2010, final average salary is the average of the highest
13 salary received by the member for any thirty-six months employed during the period
14 for which the board has appropriate and accurate salary records on the board's
15 electronic database, but that period may not be more than the last one hundred eighty
16 months of employment. For ~~members~~a member who ~~terminat~~terminates employment
17 after December 31, 2019, final average salary is the ~~higher of the final average salary~~
18 ~~calculated on December 31, 2019, or the~~ average salary earned in the three highest
19 periods of twelve consecutive months employed during the last one hundred eighty
20 months of employment. Months without earnings are excluded for the purpose of
21 computing an average. If the participating member has worked for less than thirty-six
22 months at the normal retirement date, the final average salary is the average salary for
23 the total months of employment.



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Memorandum

TO: NDPERS Board

FROM: Scott

DATE: November 8, 2022

SUBJECT: 2023 Meeting Dates

Below is a list of proposed meeting dates, most of which are on the second Tuesday of each month other than in August and October. August is the third Tuesday because the annual National Association of State Retirement Administrators conference is on the second Tuesday. The alternative October date is on the last Tuesday of the month because of the time it takes our actuary to complete the valuations of our retirement plans.

Board Action Requested: A motion to approve or modify the meeting dates is in order.

NDPERS Board 2023 Proposed Meeting Dates

January 10	WSI Board Room
February 14	WSI Board Room
March 14	WSI Board Room
April 11	WSI Board Room
May 9	WSI Board Room
June 13	WSI Board Room
July 11	WSI Board Room
August 15	WSI Board Room (3 rd Tuesday)
September 12	WSI Board Room
October 10	WSI Board Room (2 nd Tuesday)

With a special board meeting later in the month for the actuarial numbers

-OR-

October 24	WSI Board Room (4 th Tuesday)
November 14	WSI Board Room
December 12	WSI Board Room

VI. MEMBER *EXECUTIVE SESSION

- A. Retirement Benefit Appeal Case #764 – Scott (Board Action)**
- B. Hardship Withdrawal Case #756 – MaryJo (Board Action)**

***Executive Session pursuant to N.D.C.C. §44-04-19.2, §44-04-19.2(1), and/or §54-52-26 to discuss confidential records or confidential member information.**

Material for the closed session will be sent under separate cover.